THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME V.

6TH DAY

(2nd October 1940).

GENERAL DISCUSSION OF BUDGET

FIFTH SESSION

OF THE

SECOND J. & K. PRAJA SABHA.

JAMMU:

Printed at The Ranbir Government Press—26-5-98—150.

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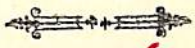
Jammu and Kashmir Praja Sabha



President :

THE HON'BLE MR. JUSTICE K. L. KICHLU,
RAI BAHADUR.

Secretary:

PANDIT HIRANAND RAINA, B. SC., LL. B.

Assistant Secretary:

QAZI MOHD. NIZAM-UD-DIN B. A., LL. B.

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JAMMU AND KASHMIR PRAJA SABHA.

SRINAGAR SESSION, SEPTEMBER-OCTOBER 1940.

Wednesday the 2nd *October* 1940/*17th Assuj* 1997.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces, Srinagar at Eleven of the Clock.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) in the Chair.

Note.—Rai Bahadur Lala Mulk Raj Gandotra, Conservator of Forests, Kashmir Province took the oath of allegiance.

QUESTIONS AND ANSWERS.

316. S. MUL SINGH KHOSLA (Wazarat Jammu, Udhampur, Reasi, Kathua, Kashmir South and Sri Pratapsinghpura Tehsils Sikh) : (*a*) Do the Government realise the existance of vast resources of mineral wealth in the State?

(*b*) If reply be in the affirmative, what steps have been taken in the past and are intended to be taken in the future for the exploration of the minerals occuring in the State and for the development of mining and other connected industries in the State?

L DINA NATH MAHAJAN (Under-Secretary on behalf of Hon'ble Development Minister) : (*a*) Yes.

(*b*) Hon'ble member is referred to the departmental reports on the subject.

317. S. MUL SINGH : Will the Hon'ble Home Minister please state :—

(*a*) Whether it is a fact that Mr. Abdul Aziz has been appointed as Lecturer in place of Mr. Janki Nath Bhan appointed as Lecturer in History and Economics in leave arrangement of Mr. T. L. Manghar Malani?

(*b*) If the reply is in the affirmative, was this post of Lecturer advertised in the Gazette? If not, why?

(*c*) What are the qualifications of Mr. Abdul Aziz?

(*d*) How many candidates applied for the post?

Will the Government be pleased to furnish a list with their respective qualifications?

LT. FAZAL RAHMAN (Under-Secretary on behalf of Hon'ble Home Minister) : (*a*) Yes, in a temporary vacancy pending the return of Dr. R. K. Bhan from study leave.

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(*b*) No, as the vacancy was of a few days duration.

(*c*) M. A. (2nd class) Economics.

(*d*) Does not arise.

S. MUL SINGH KHOSLA : Are not these temporary vacancies advertised in the Government Gazette?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN (Home Minister) : No. Temporary vacancies are not advertised in the Government Gazette.

S. MUL SINGH KHOSLA : I know of several instances where temporary posts have been advertised.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Although it is not necessary to notify temporary vacancies yet this vacancy was advertised in a different manner. At the time Professor Mangermallani was to proceed on leave preparatory to his retirement this vacancy was advertised and in order to fill up the vacancy the post was advertised and a notification to this effect was published in the Government Gazette. In response to this advertisement many applications were received amongst which there was the application of Mr. Abdul Aziz, but later on when Mr. Bhan was appointed to this post and in consequence of the vacancy caused in connection with his appointment a vacancy was caused in which connection Mr. Abdul Aziz was appointed for twelve days. The fact is that no applications were invited in connection with the vacancy caused by Mr. Bhan.

S MUL SINGH KHOSLA : Was he the best of all candidates?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Yes, at least there was no Sikh candidate who was as good as he.

318. S. MUL SINGH KHOSLA : (*a*) Are the Government aware that several hospitals in India have been provided with Lorm Nuffields Iron Longs?

(*b*) If so, is the Government prepared to consider the advisability of providing the two Saddar Hospitals at Jammu and Srinagar with it?

LT. FAZAL RAHMAN : (*a*) & (*b*) Iron Lungs have already been received for Jammu and Srinagar State Hospitals as a result of Lord Nuffields munificence.

319. S. MUL SINGH KHOSLA : Will the Government be pleased to lay on the table of the House a list of Sikh students (State-subjects Class I) who passed the Degree Examination from both the Colleges of the State during the last five years in the following form :—

1. Name of the student.
2. His father's name.
3. The year in which passed.
4. His permanent residence.
5. The class in which he passed.

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6. The subjects taken.
7. Marks obtained in each subject.
8. Total marks.
9. Interest in games.
10. Agriculturist or non-agriculturist.
11. Employed or un-employed.

LT. FAZAL RAHMAN : The statement called for is enclosed herewith for each college separately.

The information called for under item 7, *viz.*, marks obtained in each subject, is not available as the marks obtained in individu subjects are not supplied by the University.

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Serial No.	Name of the student	His father's name.	The year in which passed.	His permanent residence.	The class in which he passed.	Subjects taken.	Marks obtained in each subject.	Total marks.	Interest in games.	Agriculturist or non-agriculturist.	Employed or not.	Remarks.
1	Sarwan Singh..	S. Mohar Singh ..	1935	Poonch	III	Persian History.	These are not supplied by the Univeristy.	211	Football Gymnasium.	Agriculturist.	*	*This office does not know.
2	Bhagat Singh..	S. Hakim Singh..	1936	"	"	Economics Persian & Urdu.		219	Riding, Cycling, use of fire-arms 1st Eleven Football, Record in Races Rover Scout.	"	Employed.	
3	Sunder Singh..	S. Wazir Hari Singh.	1931	Uri	.. "	History Economics.		187	Volley-ball ..	"	"	
4	Pretam Singh..	S. Hari Singh ..	1939	Poonch	"	"		210	Hockey and Gymnasium.	Non-Agriculturist.	"	
5	Gopal Singh ..	S. Jowahir Singh	"	Muzaffarabad.	"	"		212	Foot-ball, Cricket and Gymnasium.	Agriculturist.	"	
6	Kulbir Singh ..	S. Rattan Singh	"	Pooneh	"	"		220	Foot-ball and Gymnasinm.	"	"	

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7	Joginder Singh	S. Hari Singh ..	„	Srinagar „	„	198	All round best Hockey, Tennis etc. player Rover Scout.	†	† Govt. Stipendiary; L.L.B. Student.

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Serial No.	Name.	Father's name.	Year in which passed.	Personal address.	Division.	Subjects.	Total marks.	Games.	Agriculture or Non-agriculture.
1	Harbans Singh Khosla.	S. Mul Singh Khosla	1936	Dhaki Sarajan, Jammu.	III	Eng. Math. A. B.	193	Scout ..	N. Agri
2	Balbir Singh Ramdass.	L. Hansraj ..	„	Raghunath Bazar, Jammu.	III	Eng. His. Eco.	206	Foot-ball ..	„
3	Harbans Singh Ahliwalia.	S. Makhan Singh ..	„	Pro. Khalsa Hotel, Jammu.	III	„	192	Hockey ..	N. Agri.
4	Baljodh Singh ..	S. Ladha Singh ..	1937	Raghunath Bazar, Jammu.	III	„	191	Tennis ..	„
5	Kartar Singh Arora	S. Jiwan Singh ..	„	Lakh Datta Street, Jammu.	III	Math. A. B.	199	Hockey ..	„
6	Kulbir Singh ..	S. Gopal Singh ..	„	Moti Bazar, Jammu	III	Math. A. His.	226	„	„
7	Jagjit Singh ..	S. Charan Singh ..	1938	Sialkot City ...	III	His. Per. U.	224	„	„
8	Jaswant Singh ..	S. Sukha Singh ...	„	Purana Qilla, Mirpur.	II	Math. A. B.	285	Cricket ..	„

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9	Harbans Singh ..	S. Hari Singh ..	1939	Raghunath Bazar. Jammu.	II	Chy. Gly.	246	Tennis ..	,,
10	Harbans Singh ..	S. Partap Singh ..	,,	Residency Road, Jammu.	II	His. Per...	252	Hockey ..	,,
11	Bhupinder Singh ..	S. Dyal Singh ..	,,	Bhabarian Street, Jammu.	III	His. Gly...	188	Gymnastic ..	,,
12	Hari Singh ..	S. Deva Singh ..	,,	Siakot City ..	III	His. Per...	191	Cricket ..	,,
13	Balwant Singh ..	S. Harnam Singh ..	1940	Uprala Bazar, Jammu.	III	Phy. Chy.	180	Hockey ..	,,

NOTE.—Marks in each subject. These are not intimated by the University.

EMPLOYED OR UN-EMPLOYED.

1	Not known
2	Employed in British India.
3	Not known.
4	Not known.
5	In British India.
6	Not known.
7	Not known.
8	In Education Department.
9	Not known.
10	Not known.
11	Not known.
12	Not known.
13	Not known.

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S. MUL SINGH KHCSLA : Is it a list of the first class State-subjects or it includes others as well?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : We have no such information whether they are first or second class. At the time of their admission they are only asked whether they are residents of the State or not.

320. CH. HAMID ULLAH (Jammu Wazarat Muslim) : Will the Government please state :—

(*a*) How many offenders have been tried since the enforcement of House Boat Act in the State?

(*b*) How many of them have been convicted and to what sentences?

(*c*) How many of them have been acquitted?

CH. NIAZ AHMED (Law Secretary on behalf of Hon'ble Law Minister) : (*a*) None.

(*b*) & (*c*) Do not arise.

321. CH. HAMID ULLAH : Will the Government please state :—

(*a*) If the ordinary rules of transfer do apply to Divisional Engineers in Public Works Department?

(*b*) If so, are there some who are proving exceptions?

(c) If so, their names, may please be given along with the reasons for retaining them at one particular place for more than three years?

LT. FAZAL RAHMAN : (*a*) Yes.

(*b*) & (*c*) Yes, there is one Divisional Engineer, who has been at his post for more than three years, because he is an Irrigation expert and cannot be suitably replaced.

CH. HAMID ULLAH KHAN : Then does it mean that he will never be transferred?

LT. FAZAL RAHMAN : Not so long the Government finds a capable person to replace him.

Note.—At this stage some hon'ble members were found occupying seats not reserved for them.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : The hon'ble membere should take their own seats and if they keep on changing their seats than it will create difficulties.

SH. MOH'D. AMIN : Sir, Chaudari Sahib has occupied this seat only for two minutes.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : I find that other members as well are changing their seats and occupying seats not meant for them. This is not proper.

322. CH. HAMID ULLAH Will the Government please state :—

(*a*) How many staff vacancies have occured in both the colleges in the last two years?

(*b*)How many of them have been filled by the Muslimans

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and what are their names?

(c) What is the present total strength of Muslims representation in the staff on both the colleges?

(d) Is it adequate or fair?

LT. RAZAL RAHAN : (a) 18 vacancies (Principal 1, Professors 7, and Lecturers 10).

(b) 2 Muslimans, Messrs Ghulam Mohammad and Abdussalam were appointed as Lecturers.

(c) 12 out of 54 (Gazetted ranks).

(d) The representation of Muslims is not adequate. Efforts are however made to appoint Muslims as far as possible according to the rules and availability of the candidates of suitable qualifications.

323. CH. HAMID ULLAH : Will Government please state :—

(a) What percentage of students have passed B. A. and B. Sc. Examination this year from both the Colleges?

(b) How many students were detained and how many were sent up for examination this year from both the Colleges?

(c) Whether the above percentage is fair?

(d) If not, what steps have been taken to improve the future results?

LT. FAZAL RAHMAN : (a) The B. A. and B. Sc. results of both the Colleges are still incomplete as, according to the new University Regulations, more than 80 candidates are re-appearing in the supplementary examination that is being held now. The percentage of passes can be determined when the result of the supplementary examination is announced.

(b) Eleven students were detained and 296 students were sent up for the Degree examination from both the Colleges.

(c) In view of the reply to (a) above, the question does not arise at this stage and it is not clear to what percentage the question refers.

(d) Does not arise in view of (a).

324. S. DHIAN SINGH (Mirpur, Poonch Sikh) : Is it a fact that—

(a) In reply to my question Q. D. No. 222, asked in the last Jammu Session, I was assured that the Hon'ble Revenue Minister had asked for a report from the Revenue Commissioner regarding the appointment of a Committee to look after the management of the "Muafis" granted to Gurdawaras, and that report was awaited?

(b) If so, has that report been received from the Revenue Commissioner?

SH. ABDUL HAMID (Under-Secretary on behalf of Hon'ble Revenue Minister) : (a) Yes.

(b) Yes.

S. DHIAN SINGH : What action was taken on this report?

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THE HON'BLE RAI BAHADUR LALA PHUL CHAND MOGHA (Law and Revenue Minister) : The report which was called for was whether under the existing law the committee was competent to take over the proper management of "Muafis" pertaining to Gurdawaras. Consequently the report received in this behalf is that the existing law on the subject is quite satisfactory but if in any case the Government find that the management of any particular Muafi is not satisfactory then the Government is competent to make a change in that. Hence if any member furnishes the Government with some information to this effect the Government will take proper action in the matter.

S. DHIAN SINGH : Why do not the Government take any action against the religious institutions which are receiving Muafis but their managemennt is not good?

THE HON'BLE RAI BAHADUR LALA PHUL CHAND MOGHA : If we receive any complaint to this effect we will make an inquiry into the matter and take proper action in the matter.

S DHIAN SINGH : Is it not the duty of the Government to see of its own accord whether the management of the religious institutions is being properly conducted? Has not the Government received any report to this effect?

THE HON'BLE RAI BAHADUR LALA PHUL CHAND MOGHA : So far we have received no complaint and in case we receive one we shall take proper action on that.

325. S. DHIAN SINGH : (*a*) Is it a fact that in reply to my question Q. D. No. 926 asked in the last Jammu Session it was stated that the total number of linemen was sixty-two, out of which only two were Sikhs, and out of twelve Inspectors only one of them was a Sikh?

(*b*) Will the Hon'ble Development Minister please state the total number of the posts of linemen and Inspectors which fell vacant since the last session?

(*c*) How many of these posts were filled in by Hindus, Muslims and Sikhs?

L. DINA NATH MAHAJAN : (*a*) Yes, except that one out of the 12 Sub-Inspectors was stated to be a Sikh.

(*b*) Linemen's vacancies since the last session, 2 Sub-Inspectors' vacancies since the last session 1.

(*c*) Filled up as under :—

Lineman 1 (Muslim by promotion).

Sub-Inspector 1 (Muslim, direct appointment).

S. DHIAN SINGH : Do Government realise that the Sikhs are under-represented?

L. DINA NATH MAHAJAN : The case of a suitable person will be considered.

326. S. DHIAN SINGH : Is it a fact that :—

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(*a*) Upon the demand of the public the construction of a bridge was sanctioned on the Nullah Mahal?

(*b*) Is it also a fact that the ropes ordered for the bridge were shorter then the required size, as a result of which unduly heavy expenses were incurred and the work stopped?

(*c*) If so, is Poonch Administration prepared to order ropes of the proper size in order to complete the construction of the bridge?

KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of Hon'ble Prime Minister) : (*a*) Yes.

(*b*) No.

(*c*) The question does not arise.

S. DHIAN SINGH : Has the bridge been constructed by now?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : You asked about the size of ropes and that question has been replied to.

S. DHIAN SINGH : I want to know whether th bridge has been constructed?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : Yes.

S. DHIAN SINGH : Sir this information is wrong as the construction of the bridge has not been started so far.

KHAN BAHADUR SHEIKH ABDUL QAYOOM : Your contention is that the ropes proved too small whereas the fact is that their size did not have any affect.

S. DHIAN SINGH : Has this bridge been constructed?

K. BAHADUR SHEIKH ABDUL QAYOOM : Sir the question which was asked has been replied to. As to the size of the ropes it is more or less a problem which he wants me to solve.

S. DHIAN SINGH : The fact that ropes were ordered for the construction of the bridge has been admitted by him. Now I have desired to know whether the bridge has been constructed. As to this he has replied in the affirmative. I would submit that this information is false as all the Hon'ble members know, because the bridge has not been constructed. I now want to know whether the construction of the bridge will be expedited?

K. BAHADUR SHIEKH ABDUL QAYOOM : Reply to this is that the ropes are of the right size. Besides what has this thing to do with the ropes?

S. DHIAN SINGH : I affirm that the bridge has not been constructed and this fact can be ascertained through all the members. I believe the report he has received is false.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : Anyhow, the information received by him has been supplied to you.

S. DHIAN SINGH : Sir, the question is why this bridge has not been constructed so far when several lives are lost in the river every year on account of this.

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MR. PRESIDENT (The Hon,ble Rai Bahadur Justice K. L. Kichlu) : At any rate, you have drawn his attention to this fact.

PT. PREM NATH : Sir, the Administrator Poonch has said that it is immaterial whether the ropes were long or short. May I venture to ask whether the members have not the right to ask why the ropes imported were too short particularly when the Government have suffered a loss on that account?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : The reply that could possibly be given in the matter has been given.

PT. PREM NATH : Do not the Government sustain a loss when the ropes impored are not of the same size as ordered for?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : This is no occasion for asking such questions.

PT. PREM NATH : Then what did he mean by saying that the hon'ble member has nothing to do with the size of the ropes.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : Whatever reply he had to give he has given.

327. S. DHIAN SINGH : Is it a fact that :—

(*a*) On the request of the public for the repair of road from Tehsil Head-quarters Bagh *via* Atamali Pir upto Poonch a sum of Rs. 400 was sanctioned, and with that sum the road was repaired upto the boundaries of Tehsil Bagh but no repairs were effected to the remaining portion of the road?

(*b*) Are Government aware of the condition of the road from Poonch to Atamali Pir?

(*c*) Will Government look into the matter?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

S. DHIAN SINGH : Have you ever travelled by this road?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : Not so far.

S. DHIAN SINGH : If you are convinced of the fact that the people of that place are undergoing great hardship will you try to remove it?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : I shall do that if I am convinced of it. I am there for that purpose only.

328. S. DHIAN SINGH : Will Poonch Administration please state :—

(*a*) Whether in reply to Q. D. No. 286, asked in the last session it was stated that for the loss of Government wood through carelessness, action against the officers concerned would be taken?

(*b*) If the reply to part (*a*) be in the affirmative, it may please be stated, what action has been taken and against which of these officials?

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KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) No. What was stated was that enquiry would be made to find out whether the loss was due to carelessness of any Jagir official.

(*b*) On enquiry it has been found that the loss was not due to the carelessness of any official.

329. S. FATEH MOHAMMAD. KHAN (Haveli-Mahandar Poonch Muslim) : Will the Hon'ble Prime Minister please state :—

(*a*) Whether it is a fact that the resolution for granting proprietory rights to the zamindars of Poonch was passed in the Praja Sabha?

(b) Whether it is also a fact that the promise of making an Ailan for granting rights has been made several times?

(c) If reply to above be in the affirmative, when will an Ailan for grant of proprietory rights be made?

K. BAHADUR SHEIKH ABDUL QAYOOM : (*a*) Yes.

(*b*) No.

(*c*) In view of reply to (*b*) above, the question does not arise.

S. KHAN BAHADUR KHAN : Will proprietory rights be granted to them? This is a demand which has been put forward from the very beginning. A resolution to this effect has also been passed.

K. BAHADUR SHIEKH ABDUL QAYOOM : Sir, the question is whether the late Raja Sahib has made any decision to this effect. Anyway, if this question once again presents itself before the Government, the Government will consider over it.

330. S. FATEH MOHAMMAD KHAN : Will Poonch Administration please state :—

(*a*) When was the bridge on the river Poonch near the Liquor distillery consructed? What was the total cost incurred on its construction?

(b) Whether upon completion of the bridge traffic was forbidden on it and a separate diversion was constucted? What was the total cost incurred on this diversion?

K. BAHADUR SHIEKH ABDUL QAYOOM : (*a*) Part I. In Jeth 1997. Part II. Rs. 800.

(*b*) No. A temporary diversion was however constructed at a cost of Rs. 129.

S. FATEH MOHAMMAD KHAN : Why passage of motor-lorries has been prohibited when the bridge has been constructed at a cost of Rs. 800 ? Besides who is responsible for the extra cost?

K. BAHADUR SHIEKH ABDUL QAYOOM : The way was not fit for motor-lorry traffic.

S. FATTEH MOHAMMAD KHAN : Now that a sum of Rs. 800 has been spent on it, is it now fit for motor-lorry traffic?

K. BAHADUR SHIEKH ABDUL QAYOOM : I am not aware

331. S. FATEH MOHAMMAD KHAN : Willthe Hon'ble the

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Prime Minister please state for the information of the House :—

(*a*) What safeguards have been provided by the Government in order to protect the people from the air-raids?

(b) If reply to part (*a*) be in the negative, will Government take this important matter into consideration?

K. BAHADUR SHEIKH ABDUL QAYOOM : (*a*) Government have not adopted any measures in this behalf.

(*b*) The matter is already under examination.

332. PT. ISHER DUTT BARU (Illaqa Poonch Hindu) : Will Hon'ble the Prime Minister please state :—

(*a*) From whom was th first direct report regarding the construction of the road from Poonch City to Rambari called?

(*b*) Why the Engineer not consulted in connection with the construction of this road?

(*c*) Whether the road was constructed in accordance with the very first report referred to in part (*a*) ?

K. BAHADUR SHIEKH ABDUL QAYOOM : (*a*) The first report regarding this road was called for from B. Hari Chand Overseer P. W. D.

(*b*) The Engineer was consulted.

(*c*) No. The road was constructed in accordance with the final opinion of the Engineer.

333. PT. ISHER DUTT BARU : Will the Hon'ble Prime Minister please state :—

(*a*) Whether it is a fact that the Poonch Administration is not prepared to grant Maple Trees, on payment, to any resident of Poonch. If so why?

(*b*) Whether in case local men of Poonch undertake to supply good timber to Government of India (Defence Department) the Poonch Administration is prepared to make a recommendation to Government of India that orders for half-wroughts be placed with local men?

K. BAHADUR SHEIKH ABDUL QAYOOM : (*a*) No.

(*b*) If a resident of Poonch secures an order from the Department of Supply of the Government of India for the supply of timber referred to and produces it before the concerned authorities, permission will be granted to him for the export of the quantity of half wraughts of the timber ordered by and to be suppied to the Department of Supply.

334. PT. ISHER DUTT BARU : Will the Hon'ble Prime Minister please state :—

(*a*) The number of inhabitants of Poonch, who own more than fifteen Kanals of land?

(b) Whether the Administration will train them in the methods of intensive cultivation?

K. BAHADUR SHIEKH ABDUL QAYOOM : (*a*) The information

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required will have to be collected from the subordinate Revenue Agency and it will take a few months to obtain full figures. The information could be supplied at the next Session of the Praja Sabha.

(b) The Poonch adminstration has already appointed an Agricultural Overseer to tour in the Illaqa and explain the people the methods of intensive cultivation. This official has started his work. Besides at the exhibition held in Poonch every year practical demonstrations are given in regard to better methods of cultivation. No further action is necessary for the present.

PT. ISHER DUTT BARU : What are the names of the villages in which this official has spread agricultural knowledge?

K. BAHADUR SHIEKH ABDUL QAYOOM : If you desire the information it can be supplied to you after enquiry?

S. FATEH MOHAMMAD KHAN : Will he be instructed to make a tour of the villages in future?

K. BAHADUR SHIEKH ABDUL QAYOOM : He has already been instructed to tour through the villages. Anyway, he will be instructed once again to tour through the villages.

335. PT. DEVA KOUL (Kashmir Hindu) : (*a*) Do the Government know that Kara Haji, a branch of Khul Lar drawn near Watoo (Shopian) irrigates nearly hundred villages such as Ari Hel etc. of Tehsil Pulwama which have no other source of irrigation but the zamindars of Illaqa Char, Pathri, Drach, Pira Pura etc., divert its water to their fields without being entitled to it and consequently the harvest of Illaqa Ari Hel goes dry?

(*b*) Have the zamindars of Illaqa Ari Hel submitted repeated applications to the officers of Revenue Department but to no purpose?

(*c*) Will the Government be pleased to look into the matter?

S. ABDUL HAMID : (*a*) 1st. Part. Yes.

2nd. Part. No.

(*b*) No.

(*c*) Does not arise.

336. PT. DEVA KOUL : (*a*) Do the Government know that the road from Pulwama to Ramu is in a most dilapidated condition and in the absence of a bridge on the Nullah Ramshi there is constant apperhension of loss of life at flood time in summer season?

(*b*) Will the Government please issue orders for the repacr of road from Pulwama to Ramu?

S. ABDUL HAMID : (*a*) No. The road is not in a bad condition. It is, however, a fact that there is no bridge over Nullah Ramshi owing to its long span and danger from Floods.

(*b*) The road being in order, no action is called for. An amount of Rs. 550 has been proposed in the next budget for annual repairs to this road.

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337. PT. DEVA KOUL : (*a*) Do Government know that the source of Kuhl Lehr which shoots forth Nullah Ramba Ara is washed away every year on account of the currents of water and consequently due to paucity of water in the Kuhl the crops of the zamindars of Illaqa Shopian and Pulwama get dry?

(*b*) Will the Government please consider the desirability of constructing a pacca head over there?

S. ABDUL HAMID : (*a*) No.

(*b*) Does not arise.

338. PT. DEVA KAUL : Is it a fact :—

(*a*) The annual income of the Town Area Committee of Bijbehare Town is equal to the expenditure thereof and as such no works of public utility are being conducted by the committee?

(*b*) The number of employees of Town Area Committee is greater than those in other Committees.

(*c*) The posts of Tax Collector and a Draftsman have been created while no such posts exist in the Committee of Pahalgam, Shopian and Sopore?

(*d*) If reply to part (*a*), (*b*) and (*c*) be in the affirmative, will the Government please look into the matter?

LT. FAZAL RAHMAN : (*a*) The Committee is self-supporting and funds are allowed for works of public utility.

(*b*) No.

(*c*) The posts of Tax Collector and Draftsman exist in Sopore and Pahalgam but not in Shopian as its Receipts are very small.

(*d*) Does not arise.

339. HAJI AHMED ULLAH SHAHDAD (Tashwan Srinagar City Musilm) : Are Government aware of the fact that :—

(*a*) In April 1936, in reply to Q. D. No.579, the Hon'ble Home Minister had stated that according to the needs two parks would be oppened in every ward of the Srinagar Municipality? Has any effect been given to this proposal?

LT. FAZAL REHMAN : A loan of Rs. 36,000 was requested from the Government for construction of parks in the City. The Government has called for layout scheme which is under preparation.

HAJI AHMED ULLAH SHAHDAD : Sir the same reply is being given for the last five years. Should I think that the present reply carries any significance?

THE HON'BLE KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN : I donot admit his first objection.

340. HAJI AHMED ULLAH SHAHDAD : Is it a fact that :—

(*a*) The roads in ward No. 5 are in bad condition and have not been repaired?

LT. FAZAL RAHAMAN : (a) No.

341. HAJI AHMED ULLAH SHAHDAD : Is it a fact :—

(*a*) The burial-ground for Mohammedans of Ladakh is

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not sufficient for the purpose?

(*b*) If the answer to (a) be in the affirmative, will the Government very kindly allot some spacious plot for the burial-ground?

S. ABDUL HAMID : (*a*) Yes.

(*b*) The question will be considered when an application is received.

342. HAJI AHMED ULLAH SHAHDAD : Will the Hon'ble Home Minister be pleased to state :—

(*a*) What are the educational qualifications of the European Lady who is the Deputy Directress for female education? Is she temporary or permanent? Is she well acquainted with Urdu language?

(b) If she does not know Urdu, how can she inspect the Primary classes taught by Middle passed teachresses?

LT. FAZAL RAHMAN : (*a*) She is B. S. Hons' (Oxen) Diploma Education. She is permanent. She is well acquainted with the Urdu language.

(*b*) Does not arise.

343. WAZIR GANGA RAM (Reasi Wazarat Hindu) : Will Government please state whether any Prospecting Licenses for mines were issued in the year 1996-97.

(b) If the repy be in the negative reasons for it may please be stated?

L. DINA NATH MAHAJAN : (*a*) Yes. 7 Prospecting Licenses and Mining Lease have been granted this year so far.

(*b*) Does not arise.

344. WAZIR GANGA RAM : (*a*) Is it a fact that the inhabitants of Gura Salhathian which is a big Mahal have for years been requesting for a dispensary there and they also submitted a petition to the Hon'ble Prime Minister on the occasion of his paying a visit to this village, and the Hon'ble Prime Minister gave an assurance that the matter would be sympatheticaly considered?

(*b*) If the reply to the above be in the affirmative, it may please be stated as to what action has been taken in this matter?

LT. FAZAL RAHMAN : (*a*) Yes.

(*b*) The matter was placed before the Public Health Committee for consideration but the opening of a dispensary at this place was not approved.

345. WAZIR GANGA RAM : Will the Government please state :—

The loss of life and property caused to the zamindars by the cloud burst this year on the Banihal Cart Road between Pira and Ramban andthe extent to which relief has been granted by the Government?

S. ABDUL HAMID : Information is being collected and will be supplied when received.

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WAZIR GANGA RAM : Will this information be supplied in this very session?

S. ABDUL HAMID : Yes,, if received certainly.

WAZIR GANGA RAM : What are the reasons for delay in not having received the information so far?

S. ABDUL HAMID : You had asked in your question about the loss of life and property so it was necessary to make inquiries in this respect. The delay has been caused on this account.

WAZIR GANGA RAM : Will relief be provided to the zamindars on receipt of the requisite information?

S. ABDUL HAMID : This question is already under consideration of the Government.

346. WAZIR GANGA RAM : Will the Government please state :—

(*a*) Whether the Police Training School Srinagar, which was started by the Government two years back, is meeting the necessities of the Police Department satisfactorily?

(*b*) Is it being run on the standard of Police Training School Phillaur and are the same concessions rules and restrictions in force in this chool, also?

(*c*) Are staff quarters and rank promotions granted to the staff of this school like the Police Training School Phillaur?

(*d*) Is it also a fact that the Police Training School Phillaur is closed for vacation during summer while the Training School at Srinagar is closed for winter?

(*e*) If reply to (*a*), (*b*), (*c*) and (*d*) be in the negative, the reasons for it may please be stated?

LT. FAZAL RAHMAN : (*a*) Yes.

(*b*) Yes, with modifications to suit local conditions.

(*c*) Yes, Staff quarters are provided for some members of the staff who are single. Promotions to a higher rank are given to members of the staff according to rules.

(*d*) No. Vacations are not allowed. The Training School in addition to training the Sub-Inspectors Head-Constables, trains Constables as well. The training of Constables has to be continuous, as the school act as a feeder of trained constables, if interrupted it will result in vacancies which will be deterimental to the smooth working of the Department.

WAZIR GANGA RAM : Will the Hon'ble Minister please state why no leave is allowed in the Srinagar Training School?

THE HON'BLE KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN : In part (*d*) of the reply the reasons for this have been stated.

WAZIR GANGA RAM : I asked about the reasons.

THE HON'BLE KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN : A reply to this has been given along with the reasons. It

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is different that you may have a difference of opinion with regard to these we have detailed the reasons in our reply. You may please read these.

WAZIR GANGA RAM : Have these reasons been detailed in the reply?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : If you read the relevent portion of the reply the whole thing will become clear to you.

347. PT. PREM NATH (Jammu & Kashmir Province) : Will the Government please state the total number of applications submitted for the posts of primary school teachers to be filled up in Jammu Province in the year 1997.

(b) How many of these applicants were B. A's. B. Sc's F. A's, F. Sc's, first division matriculates, second division matriculates, 3rd division matriculates, and those who had passed the middle standard examination? The community to which each candidate belongs to may also be stated?

(c) Will it be stated as to why such candidates as had passed the middle standard examination only were appointed when candidates possessing higher qualifications were available? What is the number of such low-qualified candidates?

LT. FAZAL RAHMAN : (a) 454.

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| | | |

Serial No. of register.	Name.	Qualificatians.	Residence	Where posted.	Community.	S. No. of list approved.
13	M. Mohammad Ali ...	A. B. Middle ...	Chak Desu (Kathua	Budhi Lower Midd. School	Muslim	Kathua Division
21	Mr. Jagat Ram ...	M. S. A. V. ...	Bhadarwah	Nagar School (Bhadarwah)	Harijan	Udhampur Division (Already working as teacher in leave arrangement)
65	Pt. Dina Nath ...	M. S. A. V., 3 years Nechnical training from S. A. S. Technical College ...	Ramnagar	Gharari (Ramnagar)	Hindu	71
25	Hira Lal ...	M. S. A. V ...	Ramnagar	Khanid (Ramnagar)	Hindu	He was the senior most man serving in an extra departmental school.
...	M. Abdul Hussain...	Patwar trained	Poonch ...	Tarala (Kotli)	Muslim	Reasi.
12	Pt. Jamna Dass ...	Upto Matric ...	Tiru (Reasi)	Dakh (Kotli)	Hindu	
...	M. Bag Ali Khan ...	.....	Poonch ...	Kotli	Muslim	Reasi.

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(*c*) Out of 42 vacancies filled up at that time only 7 were filled up by middle passed candidates.

It will appear from the list attached that invariably all of them belonged to comparatively remoter places. The Government has fixed middle as the lowest qualification for recruitment of teachers and this condition was satisfied in their cases.

Moreover in view of the fact that it is the intention of the Government to appoint to these low paid posts men belonging to the locality, as also in view of the fact that some of these people had already worked in temporary vacancies such selection is amply justified.

By far the largest number of people employed were matriculates. It is not desirable to recruit men of very high qualifications to these low paid posts, because though they may be anxious to be employed they remain dis-satisfied thus impairing the efficiency of work in a school.

PT. PREM NATH : Sir, is it a fact that there are several matriculate youngmen who have worked in different temporary arrangements and are candidates for the last five years but their rights have been ignored whereas new hands have been appointed?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : I have no information to this effect.

PT. PREM NATH : In case you receive an information to this effect?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : I shall make enquiry.

348. PT. PREM NATH : Is it a fact that most of the applicants for the posts of school teachers were such who besides working as extra candidates and in temporary arrangements, had taken active part in adult education?

(*b*) If the reply be in the affirmative, reasons for ignoring such candidates may be stated?

LT. FAZAL RAHMAN : (*a*) No.

(*b*) The best of the candidates were selected and these included the candidates of the above description also.

PT. PREM NATH : My supplementary question in reply to this question is the same as was asked by me in connection with Q. D. No. 347.

349. PT. PREM NATH : (*a*) Is it a fact that at present persons from all communities, *viz*. Hindus, Muslims and Sikhs are appointed to the posts of Urdu teachers?

(*b*) Is it also a fact that among the candidates for the new posts of primary school teachers and in the extra list for Jammu Province for the year 1997, as approved by the Director of Education, none but Muslims have been retained for the posts of Urdu

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teachers?

(*c*) If reply to parts (*a*) and (*b*) be in the affirmative, reasons therefor may please be stated?

LT. FAZAL RAHMAN : (*a*) No.

(*b*) Yes.

(*c*) Technically the term Urdu teacher does not include all teachers of Urdu language. It means additional teachers in primary schools formarly known as Arabic teachers who are intended to impart religious instruction to Muslim students just as Hindi and Gurmukhi teachers are intended to give religious instruction to Hindus and Sikhs respectively, in addition to assisting the general teachers in general instruction. Hence exclusivlly Muslims are appointed to these posts and exclusively Hindus and Sikhs are appointned to the posts of Hindi and Gurmukhi teachers especially.

PT. PREM NATH : In your reply you have used the words "technically" and said that the term "Urdu teacher" does not include all teachers of Urdu language. That is to say, the word "Urdu teacher" implies all those teachers who teach Urdu.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Not all the teachers. Perhaps there is some mistake in the translation. The term does not include all teachers who teach Urdu language.

PT. PREM NATH : That is to say all those teachers have not been included in this?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : The Arabic teachers do not come in this category because the Arabic teachers are appointed for the purpose of religious although on some occassions they teach Urdu as well.

PT. PREM NATH : Are there any teachers besides the Arabic teachers who teach Urdu?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Other teachers are included in the Urdu teachers.

PT. PREM NATH : Are Hindu teachers included in the Urdu teachers?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : As regards the Arabic teachers they are appointed for the purpose of imparting religious education to the Muslims just as the posts of Hindi and Gurmukhi teachers are filled by Hindus and Sikhs respectively?

PT. PREM NATH : Are Hindus also appointed on these posts?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : As opposed to Arabic teachers, Hindus and Sikhs are also appointed on the posts of Urdu teachers and teachers appointed in connection with general instructions?

PT. PREM NATH : When Urdu teachers are also included in this category why then all these posts have been filled in by Musilmans?

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THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : I shall let you know after inquiry whether there are any other posts of teachers besides the Arabic teachers.

350. PT. PREM NATH : (*a*) Is it a fact that the Director of Education was a prominent member (Chairman) of the Education Re-organisation Committee?

(*b*) Is it also a fact that one of the recommendations of this Committee was that no candidate possessing lower qualifications than the matriculation standard should be appointed as teacher in the primary schools?

(*c*) If the reply to parts (*a*) and (*b*) be in the affirmative, it may be stated as to why he himself has not at the time of filling up the posts for the year 1997, followed this principle?

LT. FAZAL RAHMAN : Yes, the Director of Education was a member of the Educational Re-organisation Committee.

(*b*) The Educational Re-organisation Committee has made this recommendation with the proviso that in special cases *e. g.* candidates of rural areas Harijans, Frontier candidates etc. candidates of lower qualifications may be appointed.

(*c*) The recommendation of the Educational Re-organisation Committee could not be enforced before it was accepted by the Government.

351. DR. BALRAM DASS (Jammu City North Hindu) : Will the Hon'ble Law Minister please state :—

(*a*) How many cases of abduction and trafficing in women were challaned by the Police in the courts of Jammu during the last year?

(*b*) In how many of these cases were the accused sentenced?

CH. NIAZ AHMED : (*a*) 14.

(*b*) 6.

352. DR. BALRAM DASS : Will the Hon'ble Home Minister please state :—

(*a*) How many cases relating to the unlawful use of arms were registered by the Police in Jammu Province during the year 1996?

(*b*) What was the total number of accused persons in these cases?

(*c*) What was the number of accused persons from the following communities :—

1. Muslims.
2. Dogra Brahmans.
3. Sikhs.
4. Rajputs.
5. Harijans.

LT. FAZAL RAHMAN : (*a*) 23 cases.

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(*b*) 24.

(*c*) Muslim 13, Dogra Brahmans ni., Sikhs 1, Rajputs 4 and Harijans 1.

353. DR. BALRAM DASS : Will the Hon'ble Home Minister please state :—

(*a*) The number of roads apart from the B. C. Road leading to the Tehsil and District Head-quarters in Jammu Province?

(*b*) How many of them are metalled?

(*c*) What is the number of such places on these roads, where no bridges for traffic have been constructed inspite of their dangerous position?

LT. FAZAL RAHMAN : (*a*), (*b*) and (*c*) The enclosed statement gives the requisite information.

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Serial No.	Name of District and Tehsil in Jammu Province under Irrigation Division.	Name of road apart from B. C. Road leading to Head Quarters of such Districts or Tehsils.	Whether metalled or not.	No. of such places in the roads where no bridge for traffic have been constructed inspite of their dangerous position.
1	District and Tehsil Jammu ...	Jammu-Samba Road ...	Partly metalled	The construction of bridge at Basantar and Devak Nallah are essential.
		Jammu-Akhnoor ,, ...	No	
2	District and Tehsil Mirpur ...	Mirpur-Bhimber ,, ...	No	
		Mirpur-Chechian ,, ...	Yes	
		Mirpur-Kotli ,, ...	No	
		Mirpur-Alibeg ,, ...	No	
3	District and Tehsil Kathua ...	Jammu-Kathua ,, ...	Partly metalled	Two bridges, one on W era Nallah in mile 8 and 2nd on Ujh river in mile 8.
		Kathua-Basohli ,, ...	No	
		Jammu-Kathua ,, via Jesmergarh.	No	
4	Tehsil Samba ...	Jammu-Samba ,, ...	Partly metalled	
		Samba-Kathua ,, ...	No	
5	Tehsil Jesmirgarh ...	Samba-Jesmergarh Road (Jammu)	No	
		Jesmergarh-Kathua Road (Kathua Road)	No	

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6	Tehsil Basohli ...	Kathua-Basohli Road	No	Four bridges in mile 10, 18, 21 and 25.
		Basohli-Bhadarwah ,,	Bridle path	
7	,, Akhnoor ...	Jammu-Akhnoor Road	No	Bridge in mile 16 is necessary.
		Akhnoor-Thanda Pani Road.	Bridle road path	
		Akhnoor-Manawar Road	No	
		Akhnoor-Sidhoti ,,	No	
8	,, Bhimber ...	Mirpur-Bhimber Road ...	No	
		Bhimber-Manawar ,, ...	No	
		Bhimber-Thana ,, ...	Bridle path	
		Bhimber-Gujrat ,, ...	No	
9	,, Kotli ...	Mirpur-Kotli ,, ...	No	
		Kotli-Rambari ,, ...	No	Bridge over Nail Nallah under construction.
10	,, Nowshera ...	Dharamsal-Nowshera Road.	No	
		Nowshera-Rajouri Road	Bridle path	Bridge over Sukh Tawi and Pnadakas.
		Bhimber-Nowshera and Thana Road	,,	
		Nowshera-Thanda Pani Road	,,	
		Sidhoti-Nowshera Road	No	Bridge over River Tawi at Veripata is under construction.
11	,, Rajouri ...	Nowshera-Rajouri ,,	Bridle path	Bridge over Sukh Tawi and Panadakas.

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354. DR. BALRAM DASS : Will the Hon'ble Minister-in-charge Municipalities please state :—

(*a*) Whether any scheme for widening the bazar from Panjtirthi to Chowk Gandam Mandi, Jammu and making it fit for motor traffic, is under the consideration of the Committee?

(*b*) If the reply to part (*a*) be in the affirmative, since how long is this scheme under consideration?

(*c*) What practical difficulties are being experienced in putting this scheme into effect?

LT. FAZAL RAHMAN : (*a*) Yes.

(*b*) The scheme is under the consideration of the Municipal Committee.

(*c*) It is a big scheme and requires careful working out.

355. KH. GHULAM NABI (Kulgam Muslim) : Will Government please state :—

(*a*) Whether it is a fact that in reply to question No. 420, asked on 5th April 1939, the Hon'ble Revenue Minister stated that it would take some time to decide finally the case regarding the remission of land-revenue and the grant of compensation for the land that had come under the Shopian Road?

(*b*) If reply be in the affirmative, it may please be stated whether the case has not been finally decided yet?

(*c*) If it has been decided what are the Khasra numbers of the areas the land-revenue of which has been remitted and what amount has been distributed as compensation?

SH. ABDUL HAMID : (*a*) Yes.

(*b*) The question of compensation and remission is receiving attention and will be decided shortly.

(*c*) This information can be supplied after final sanction.

356. KH. GULAM NABI : Will Government please state :—

(*a*) Whether it is a fact that in reply to question No. 652 Q. D. No. 637, asked on 17th, April 1939, the Hon'ble Revenue Minister stated that the Governor of Kashmir would be asked to take action in the case regarding the recovery of land revenue for the garden Khasra No. 626 at village Nagam, Tehsil Kulgam, from the two brothers, Khaliq and Rahim, separately?

(*b*) If reply to part (*a*) be in the affirmative, it may please be stated whether the Governor has decided the case?

(*c*) If reply to part (*b*) be in the affirmative, it may please be stated that amount of land revenue as realized in excess was refunded to the two brothers, Khaliq and Rahim the owners of the garden and on which date?

(*d*) If reply to part (*b*) be in the negative, why the case has not been decided?

SH. ABDUL HAMID : (*a*) Yes.

(*b*) The case involves correction in the revenue record, and

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is receiving attention.

(*c*) The information cannot be supplied before the correction is effected.

(*d*) Cases were correction in village records is involved require careful investigation and take time.

357. KH. GULAM NABI : Will Government please state the amount spent on roads in the years 1995 and 1996 in Kulgam Tehsil? The amount spent on each road may be stated separately?

SH. ADUL HAMID : Rupees 2,400 were spent in 1994-95 and Rs 3,200 in 1995-96. A list of works executed during these years is placed on the table of the hon'ble member.

List of works provided in the Budget for Tehsil Kulgam for 1994-95 and 1995-96.

1994-95.

1	A/R Chambagund bridge	300
2	Parigam Chak No. 1	300
3	,, ,, ,, 2	300
4	,, Malipura Road culverts ...	200
5	Mirhama bridge	300
6	Laroo Yaripura culverts	400
7	Yaripura Chatagam culverts	600
	Total ...	2,400

1995-96.

1	S/R Panzat Road	1,400
2	A/R to Laru Yaripura Road	450
3	Kulgam Amno Road...	550
4	Devasar Road	700
5	Akhran Road	100
	Total ...	3,200

358. KH GHULAM NABI : Will Government please state :—

(*a*) Whether it is a fact that in reply to question No. 731, asked on 18th April 1939, the Hon'ble Revenue Minister stated that in case it was proved that the land-revenue for Khasra No. 2468, was realised unlawfully from one Aziz Kofi of Manzgoum village, Tehsil Kulgam, Illaqa Narwaw, it would be refunded?

(*b*) If reply be in the affirmative, it may please be stated, what enquiry was made regarding the plot No. 2468 at Mangam by the Patwari, the Girdawar and the Thsildar of the Illaqa who examined the case on spot?

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(c) If it has been proved that the plot No. 2468 does not exist at Manzam Tehsil Kulgam, why the land-revenue realised unlawfully has not been refunded?

SH. ABDUL HAMID : (a) Yes.

(b) There being conflict between the reports of revenue offices on the subject, the matter is being further investigated.

(c) Does not arise.

KH. GHULAM NABI : Can you let me know which of the officers differed in their report?

THE HON'BLE RAI BAHADUR PHUL CHAND MOHA : Two of the officers differed in their report.

KH. GHULAM NABI : In my question I have asked whether the concerned Patwari, Girdawar and the Tehsildar conducted the enquiry at the spot?

THE HON'BLE RAI BAHADUR PHUL CHAND MOGHA : The information that I have received is that the two Naib-Tehsildars differed in their report. Now this work has been entrusted to a third Naib-Tehsildar.

KH. GHULAM NABI : Why did not the Tehsildar decide the matter?

THE HON'BLE RAI BAHADUR PHUL CHAND MOGHA : I have stated that a third Tehsildar is making an inquiry into the matter.

MIAN AHMED YAR : Anyhow, he himself is not definite.

359. CH. BIR BAL (Jammu Land Lords) : Will Government please state :—

(a) Whether it is a fact that many cases of dacoities take place in winter in illaqas situate near the boundaries, particularly in the districts of Jammu and Kathua, in spite of the fact that special police is posted at these places?

(b) Whether it is a fact that these dacoities are not traced out?

(c) Whether it is a fact that the persons involved in these crimes generally belong to the Punjab?

(d) In view of the above will Government please either post more reliable Police there or take some other action in the matter to prevent these dacoities?

LT. FAZAL RAHMAN : (a) No. Only 17 cases of dacoities occurred during the last 3 years *i. e.* an average of 6 cases per annum.

(b) No. 6 cases were sent for trial. Two were convicted, 2 acquitted and 2 are still under trial.

(c) Yes. In 10 of these cases, criminals from the Punjab were either known or suspected to have been concerned.

(d) Patrolling parties of armed Police are deputed along the border every winter to prevent entry of dacoit gangs into the State, with the result that only 4 cases were reported this year.

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CH. BIR BAL : Sir, the reply given to part (*b*) is "no". Shall I understand that no property was traced out in all these seventeen cases?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : In your question you have not asked about the property. You have only asked about the accused persons.

CH. BIR BAL : By "cases" I meant the recovery of property.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : By the word "case" it is meant the actual crime committed. Besides the accused were convicted.

CH. BIR BAL : What do you mean when you say that out of seventeen cases only two were traced out?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Out of seventeen cases six were traced out and of which two were convicted and the remaining two are still under investigation.

CH. BIR BAL : What I want to know is whether any property was recovered in all these seventeen cases of dacoity?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : You did not ask this question in an explicit manner otherwise the information would have been supplied to you. You did not ask specifically about the commission of any crime.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Upon recognition of an accused person punishment is awarded. Whereas in this case there is no question of recovery of property. The question relates only to accused persons.

CH. BIR BAL : What I want to know is whether any property was recovered from the persons who were arrested in connection with these cases of dacoity?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : You may please read your question. It would have been incumbent on us to supply you with this information if you had asked for this in your question, but in your question there is no mention of it. The information has been supplied to the extent it was asked for in your question.

360. CH. BIR BAL : Will Government please state :—

(*a*) Whether it is a fact that the population of Illaqa Andhar, Tehsil Jasmergarh is decreasing on account of malaria, so much so that the Malikan-i-Deh are becoming childless?

(*b*) Whether it is a fact that there is neither a dispensary nor an aided dispensary, a Unani or an Aurvedic Hakim in this Illaqa within a radius of ten miles?

If reply to above parts be in the affirmative, will Government please look into the matter?

LT. FAZAL RAHMAN : (*a*) No. Sterility is not due to malaria.

(*b*) Yes.

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(*ii*) The selection of places rests with the Public Health Standing Committee.

361. CH. BIR BAL : Will Government please state :—

(*a*) Whether it is a fact that under Ailan No. 1 the zamindars are permitted to make Nautore from the Khalsa areas?

(*b*) Whether it is also a fact that the local officers, instead of enforcing this Ailan have dispossessed the zamindars of the areas already made Nautore by them *e. g.* the areas in Muzas, Dunni, Makhta, in Tehsil Kathua and in several places in Tehsil Jasmergarh also?

(*c*) If reply to above be in the affirmative, will Government look into the matter?

SH. ABDUL HAMID : (*a*) No. Nautors from Khalsa areas are permitted, unless they are made under the State Waste Land Rules. Reference to Ailan No. 1 is not understood in the absence of its date and year.

(*b*) & (*c*) Do not arise.

CH. BIR BAL : Only one Ailan of this nature has been made in the State.

SH. ABDUL HAMID : No, it is not a fact. The information asked for by you about that particular year has been supplied to you.

CH. BIR BAL : But as regards Nautore there is only one Ailan that has been made in this connection and it is Ailan No. 1.

SH. ABDUL HAMID : Ailon No. I which you are referring to was made in the year 1984 and it pertained to waste-lands of Kathua etc. After this a second Ailan was made in the year 1934 and as a result of this the first Ailan has been nullified.

362. CH. BIR BAL : Will Government please state :—

(a) Whether it is a fact that in Tehsil Kathua for the population on the other side of the river Ujh, there is no Ayurvedic Hakim or dispensary, and during the rainy season when the river is in flood several people die for the lack of medical treatment?

(*b*) Whether it is also a fact that the hospital from this place is at a distance of about fifteen to sixteen miles?

(*c*) If reply to above be in the affirmative, will Government please look into the matter?

LT. FAZAL RAHMAN : (*a*) Yes.

(*b*) No.

(*c*) The question of selecting places for subsidised dispensaries throughout the State is decided by the Standing Public Health Committee of the Praja Sabha on whose recommendations Government action is based.

CH. BIR BAL : In reply to part (*b*) you have stated that the Government is not aware. What I want to know is at what distance it is situate?

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THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : According to my information it is at a distance of sixteen miles. It is possible that my information may be incorrect but at present this is the information available to me.

CH. BIR BAL : When the river is in flood the people experience great difficulty in crossing it. I want to know whether means will be adopted to alleivate this hardship?

THE HO'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : This rests with the Standing Committee. I and you have been invested with the power of making some arrangement by the Government.

363. MIAN AHMED YAR (Fateh Kadal Tankipora Srinagar City Muslim) : Will the Hon'ble Revenue Minister please state :—

(*a*) The number of buffaloes, bullocks, cows, sheep and goats in Muzaffarabad District according to the last cattle Census?

(*b*) The number of each of the species ennumerated in part (*a*) exempted fromKahcharai-fee, in accordance with the Kahcharai Act, now in force?

SH. ABDUL HAMID : The information will be supplied later on.

M. GHULAM MUSTAFA : Sir, when will this information be supplied? The Government should have supplied the information now when the people have wired and notice of the question was given in time. Does it not mean that the Government is putting off the matter intentionally.

SH. ABDUL HAMID : The information is not available with us at present. We have to collect figures and as soon as these have been collected the information will be supplied to you.

M GHULAM MUSTAFA : When notice of the question was given at the proper time why then figures have not been collected?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) (Addressing Revenue Commissioner) : Yo you want to explain the matter.

KHAN SAHIB SHEIKH ABDUL RASHID : There was some discrepency between the report received from the Director of Land Records and that received from the Governor. But since we do not want to supply you wrong information, therefore, we have given you the present reply.

M. GHULAM MUSTAFA : Shall I understand that the information supplied by the Government at present is wrong?

KHAN SAHIB SHEIKH ABDUL RASHID : What information has been supplied to you now?

M. GHULAM MUSTAFA : The information supplied in reply to this quesiton.

KHAN SAHIB SHEIKH ABDUL HASHID : The information supplied to you in this connection is that there was some discrepancy

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between the report of the Director of Land Records and that of the Governor and, therefore, it has been considered desirable that a deeper inquiry may be made into the matter and a correct reply be given to you after satisfaction.

M. GHULAM MUSTAFA : I want to know why there is discrepancy? Is there something wrong at the bottom, either on account of the Revenue Department or some other department or both?

SH. ABDUL HAMID : The very fact that there is discrepancy between the two replies stands need of an inquiry.

MIAN AHMED YAR : I want to know as in what year enumeration of cattle took place in Muzaffarabad?

SH. ABDUL HAMID : I do not remember it verbally. You may give notice for it.

MIAN AHMED YAR : Will information be supplied in this very session?

SH. ABDUL HAMID : The information will be supplied to you as soon as it is received.

M. GHULAM MUSTAFA : This is a question which is being asked since 1995 and even in 1997 the matter has not been explained. Probably we may not receive an information to this effect for another century.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : He has not fixed any lengthy period for the supply of this information. He has said that if possible the information will be supplied in this very session.

364. MIAN AHMED YAR : Will the Hon'ble Home Minister please state :—

(*a*) Whether the Government programme for the construction of new roads includes the construction of a pacca road from Muzaffarabad to Titwal, Titwal to Keran, and Keran to Trehgam?

(*b*) In case the road be not included in the said programme, whether the Government will, in view of the importance of this Illaqa, lying on the frontier, consider the desirability of including it in the programme?

LT. FAZAL RAHMAN : (*a*) No.

(*b*) The construction of these roads will be taken up at the proper time.

M. GHULAM MUSTAFA SHAH : When should we expect proper time to come?

SH. ABDUL HAMID : As soon as this information is recivdd it will be supplied to you.

M. GHULAM MUSTAFA : We don't think the proper time will ever come to you, so it is useless to expect this thing from you.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Sir, this is an irrelevent question. It has been stated that the in-

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formation will be supplied to him as soon as it is received.

MIAN AHMED YAR : Have these roads of Teetwal been included in the programme?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : The programme has not been chalked out so far.

MIAN AHMED YAR : Has it been included in the programme referred to by you regarding repair of roads?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : I am not aware.

365. MIAN AHMED YAR : Will the Hon'ble Development Minister please state :—

(*a*) Why the Forest Inquiry Committee Report, though, printed, has not so far been published?

(*b*) Whether the said report is lying printed in the Government Press and is not being published?

(*c*) If reply to part (b) be in the negative, since how long is the report lying printed but has not been published?

SH. ABDUL HAMID : (*a*), (*b*) & (*c*) The report has been considered and orders will shortly be published.

M. GHULAM MUSTAFA : Sir the fact which deserves consideration is that he says that orders have been issued whereas the truth is that this report was received by the Government long ago and we are clamouring for its publication through questions for the last three sessions but the Government is intentionally postponing its publication.

RAI BAHADUR LALA MULK RAJ GANDOTRA (Conservator of Forests, Kashmir Circle) : Government orders on the report have been issued and it will be published.

M. GHULAM MUSTAFA : This is what you said even during the last session but as yet it has not been published. Since you say that it will be published in the near future, may I know when will it be distributed at long last?

RAI BAHADUR PANDIT RAM CHANDRA KAK (The Chief Secretary) : These have been published and issued.

MIAN AHMED YAR : What was the specific objection in not publishing this report when we know that the Anti-Corruption Committee Report was published without Government orders thereon?

RAI BAHADUR PANDIT RAM CHANDRA KAK : These have been published.

MIAN AHMED YAR : That has been only printed.

RAI BAHADUR PANDIT RAM CHANDRA KAK : That is incorrect.

MIAN AHMED YAR : Why was it not distributed among the members of this House after it was printed? When will it be distributed?

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S. DHIAN SINGH : What action is being taken on the Erosion Committee Report?

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : That is irrelevant for the purposes of this question.

366. MIAN AHMED YAR : Will the Hon'ble Home Minister please state :—

(*a*) How many and what posts in the Public Works Department were filled up during the last two years in the Muzaffarabad district?

(*b*) The names, qualifications and salary of the persons appointed?

(*c*) How many of the persons, so appointed, were from Muzaffarabad and how many were non-local?

LT. FAZAL RAHMAN : (*a*) No posts in the Public Works Department fell vacant in Muzaffarabad District during the last two years.

(*b*) & (*c*) Do not arise.

M. GHULAM MUSTAFA : Will representation of Muslims be made up at the time of filling up new posts?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : We do not admit the deficiency.

M. GHULAM MUSTAFA SHAH : On the basis of what figures do you affirm that?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : The fact is that the matter has not been inquired into. In case there be some deficiency the fact will be taken into consideration. But in case there is no deficiency then there is hardly any need for an action to be taken in the matter.

367. KH. AKBAR DAR (Awantipora Muslim) : Will the Hon'ble Revenue Minister please state :—

(*a*) Whether at the time of sowing of paddy there were complaints of scarcity of water and that later on account of failure of rains the water decreased day by day?

(*b*) Is it a fact that the crops of most of the Abi areas, yielding paddy, and of Khushki areas of land failed for want of water and rains?

(*c*) If the reply to part (*b*) be in the affirmative, whether land-revenue of areas of land referred to in part (*b*) will be remitted, according to the entries of Girdawari of Kharif 1997?

SH. ABDUL HAMID : (*a*) Yes.

(*b*) Crops have not failed, but been damaged in certain areas to some extent.

(*b*) Action will be taken under rules wehreever warranted. The local officers are being directed to keep this in view on completion of Girdawari of Kharif 1997.

368. KH. AKBAR DAR : Will the Hon'ble Revenue Minister

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please state :—

(*a*) Whether some areas of land of the following villages were washed away by the flood in the year 1985 :—

Dodarhama, Malapura, Salora, Archha, Watlar, Manigam, Osan, and Babipura, Tehsil Khas.

(*b*) Is it also a fact that the deluvion files of the villages referred to in part (*a*) have been prepared?

(*c*) If reply to part (*b*) be in the affirmative, it may please be stated why land revenue for areas, washed away by floods has not been remitted?

SH. ABDUL HAMID : (*a*) Yes.

(*b*) Yes.

(c) Land revenue of Manigam, Malapura, Osan and Darach only has been remitted. Diluvion in other villages being negligible, no remission was granted.

KH. AKBAR DAR : Have the Government satisfied themselves that the area of villages Daurhama, Malapura, Solara etc, have been washed away by the flood and the land revenue due on account of these areas has not been exempted.

SH. ABDUL HAMID : Land revenue is exempted in case the loss is considerable but not otherwise. If the loss is less than a rupee then exemption is not granted.

KH. AKBAR DAR : Sir, if it is proved that the Government has been supplied with incorrect information, will Government take some action against the official who has supplied the wrong information?

THE HON'BLE KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN : It is almost impossible for you to prove the concerned officials in wrong as the concerned officials alone possess the complete record.

KH. AKBAR DAR : Will then an exemption of land revenue be granted on account of the washed away areas?

SH. ABDUL HAMID : Certainly.

369. KH. AKBAR DAR : Will the Hon'ble Revenue Minister please state :—

(*a*) Whether the agricultural areas of land of the following villages in Tehsil Khas wre washed away by the flood in Samwat 1985 :—

Satarn, Cherawan, Nasir, Hain-Palapura, Drodar, Kargund and Plang.

(*b*) Has land revenue realised for land so washed away been refunded to the zamindars?

SH. ABDUL HAMID : (*a*) Land of villages, Satarn, Cherawan. Mamir and Hain-Palapura only was washed in Samvat 1985. There is no village of the name of "Nasir".

Land revenue of the villages deserving remission under rules

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was remitted. Action for refund of revenue realised is being taken.

KH. AKBAR DAR : Sir, the reply given is that an action is being taken in the matter. I want to know why arrangements for refund have not been made during the last twelve years?

KHAN SAHIB SHEIKH ABDUL RASHID : A remission has been granted although the money has not been refunded. What remains to be done is the preparation of the refund bill.

KH. AKBAR DAR : Sir, I want to know why a remission of land revenue has not been granted so far on account of areas which were washed away by the flood twelve years back *i. e.* in 1985? After all there is something as justice?

KHAN SAHIB SHEIKH ABDUL RASHID : I know I should do justice but you also should not exaggerate matters. Sir I have stated that a remission has been granted and the money will be refunded.

MR PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : He means to say that since considerable delay has already been caused so there need not be any further delay.

370. KH. AKBAR DAR : Will the Hon'ble Revenue Minister please state :—

(a) Whether to irrigate the Khushki areas of village Wangat, Tehsil Khas, Kuhl is under the consideration of the Government?

(*b*) If the reply to part (a) be in the affirmative, when will steps be taken for digging out the Kuhl?

SH. ABDUL HAMID : (*a*) Yes, the matter is under consideration in the Revenue Department.

(*b*) The Revenue Commissioner has been asked to arrange by re-appropriation an estimated amount of Rs. 366/8/- for proper survey of the project.

371. PT. SHEO NARAYAN FOTEDAR (Srinagar City North Muslim) : Will the Hon'ble Development Minister be pleased to state :—

(*a*) To what extent, since the time different Industries have been started in the State, the question of educated unemployment has been eased?

(*b*) Is it a fact that the question of educated unemployment is becoming very acute and alarming?

(*c*) What measure Government intends to adopt to fight this demon of unemployment?

(*d*) Is the Government prepared to grant (Dole) to the educated unemployed till they are absorbed?

L. DINA NATH MAHAJAN : (*a*) The member is referred to reply given to his Q. D. No. 1081, asked on 4th October 1939.

(*b*) The Government have no knowledge.

(*c*) The question does not arise.

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(*d*) The question does not arise.

Q. D. No. 1081 *of 4th October* 1939.—Will the Hon'ble Prime Minister please state :—

How far and to what extent the present industrialisation policy of the present Government has been able to ease the question of educated unemployment in the State?

Reply.—The question is too general to admit of a precise answer.

PT. SHEO NARAYAN FOTEDAR : Sir, in reply to my question I have been referred to some reply to a question asked by me in 1939. Since I have asked this question in the year 1940 I would like to have it replied.

LALA CHET RAM CHOPRA (The Development Secretary) : Sir, the questions of 1939 and 1940 are identical. There has been a change only here and there. The reply to this question is the same.

PT. SHEO NARAYAN FOTEDAR : Sir, I would like to know the reply.

LALA CHET RAM CHOPRA : The question is too general to admit of a precise answer.

PT. SHEO NARAYAN FOTEDAR : Sir, is it within the competence of the Hon'ble Minister to refuse to give a reply to a question on the ground that the question is too general to admit of a precise reply.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : The answer was that the question is too general to admit of a precise reply. If you put your question in a more precise manner it will be replied.

PT. SHEO NARAYAN FOTEDAR : Sir, in reply to part (*b*) of my question it has been stated that the Government have no knowledge. Does it mean that the Government have no knowledge of the educated unemployed?

LALA CHET RAM CHOPRA : Government have no knowledge about unemployment becoming very acute and alarming in the State.

PT. SHEO NARAYAN FOTEDAR : Sir, in part (*c*) I am told that the question does not arise. Does it mean that the question of fighting a demon does not arise?

LALA CHET RAM CHOPRA : We do not admit of a demon here.

372. PT. SHEO NARAYAN FOTEDAR : Is the Hon'ble Revenue Minister aware of the fact, that the situation in the grain market became very alarming recently?

(*b*) Is it a fact that the situation became tense in the grain market and the grain dealers exploited it for want of sufficient stock of Shali in the Food Control Department?

(*c*) If answer to (*a*) and (*b*) be in the affirmative, will the

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Government be pleased to strengthen the Food Control Department?

SH. ABDUL HAMID : (*a*) Yes.

(*b*) Yes.

(*c*) Necessary steps are being taken to increase the stock of Shali.

373. PT. SHEO NARAYAN FOTEDAR : Will the Hon'ble Prime Minister be pleased to state :—

(*a*) Whether it is a fact that the development scheme for the areas of Sonamargh and Gugjipathri and a scheme for a monopoly of transport traffic between Srinagar and Rawalpindi and Srinagar and Jammu are under the consideration of the Government?

(*b*) Is the Government developing these areas at its own cost and under its own supprevision or is the Government going to entrust the monopoly of these schemes to some private agency?

(*c*) If the answer to (*a*) be in the affirmative, and part 1st of the (*b*) in negative and the part second of the (*b*) in the affirmative, will the Government throw open the terms of monopoly to the public for competition, if not, why?

CH. LACHHMAN SINGH CHARAK (Under-Secretary on behalf of Hon'ble Prime Minister) : (*a*) Schemes for development of Sonemargh and Gugjipathar have been received by Government from two private individuals and are under examination. No specific scheme for the grant of a monopoly for transport on the J. V. and B. C. Roads is under the consideration of Government.

(*b*) As the Government have not completed their examination of the schemes received and have arrived at no final decision, they are not now in a position to give an answer to this question.

(*c*) Does not arise.

374. PT. SHEO NARAYAN FOTEDAR : Will the Hon'ble Home Minister be pleased to state :—

(*a*) The total number of vacancies which became available in the cadre of Assistant Surgeons for the last eight years?

(*b*) How many of these vacancies were filled up by Jammu Hindus and Jammu Muslims and Kashmir Muslims and Kashmiri Pandits?

(*c*) Is it a fact that for the last eight years not a single post of Assistant Surgeons was granted to a Kashmiri Pandit?

(*d*) If answer to part (*c*) be in affirmative, will the Hon'ble Home Minister be pleased to state the reasons for ignoring Kashmiri Pandits?

LT. FAZAL RAHMAN : (*a*) The total number of vacancies was 6.

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(*b*) Detail is as under :—

Jammu.			*Kashmir.*	
Hindus.	Muslims.	Sikhs.	Kashmiri Muslims.	Kashmiri Pandits.
1	2	2	1	.....

(*c*) Yes.

(*d*) The question appears to suggest that Kashmiri Pandits have been deliberately excluded from appointments in the Assistant Surgeon Cadre of the Kashmir Civil Medical Department. This is not correct. In all cases all candidates on the approved waiting list are considered and an appointment made in accordance with the best interests of the State. It may be added that a Kashmiri Pandit is marked down for an early appointment as Assistant Surgeon.

PT. SHEO NARAYAN FOTEDAR : In part (*d*) I am told that it is not a fact that Kashmiri Pandit have been deliberately excluded from appointments in the Assistant Surgeon Cadre of the Kashmir Civil Medical Department. If it is not a fact, will the Hon'ble Minister please state the reasons for ignoring Kashmiri Pandits from appointments in Assistant Surgeon for the last 8 years.

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : Those taken were academically superior to Kashmiri Pandits. Appointments are made according to the efficiency of the candidate.

PT. SHEO NARAYAN FOTEDAR : I am told the appointments were made in accordance with the best interests of the State. It may please be stated what best interests were there? And is it a fact that one of the candidates had best record of the University?

THE HON'BLE KHAN BAHADUR RAJA MOH'D. AFZAL KHAN : There are those who have done better than them. Even a Muslim has better record of Kashmiri Pandits.

PT. SHEO NARAYAN FOTEDAR : I do not grudge the appointment of a Muslim.

375. KOTWAL SHIV LAL (Udhampur Wazarat Hindu) : Will the Hon'ble Revenue Minister be pleased to state :—

(*a*) Whether he is aware of the fact that there is a hot water spring at Gole in Tehsil Gulab Garh where thousands of persons go every year for the purpose of cure and that at "Dam und" in Bhatal, a place situated in the way leading to the spring there is no bridge and the people have to cross the river. Chenab

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by means of ropes?

(*b*) Is it a fact that in answer to my Q. D. No. 118, dated 30th March 1939, Jammu session the Hon'ble Minister promised to get it repaired immediately?

(*c*) Is it a fact that the Government instructions in this behalf have not been carried out so far?

SH. ABDUL HAMID : (*a*) For special repairs to this bridge, Rs. 897 have been provided in budget and the contract given. The work will be completed during the year.

(*b*) The reply given was that the subordinate officers had been directed to prepare estimates.

(c) Funds having been provided the completion of the work will not be delayed.

376. KOTWAL SHIV LAL : Will the Hon'ble Home Minister be pleased to state :—

(*a*) If it is a fact that there is no nurse at Ramban dispensary and the inhabitants of that place are experiencing great difficulty?

(*b*) Is it a fact that almost at every Tehsil Headquarter where there is a dispensary a nurse is provided?

(*c*) Will the Government consider the desirability of sanctioning one nurse for this dispensary?

LT. FAZAL RAHMAN : (*a*) Presumably a Dai is meant as nurses are not sanctioned or available for posting to dispensaries. There is, at present, a Dai at Ramban and no difficulties have been reported.

(*b*) No, but every endeavour is being made to provide Dais.

(*c*) Does not arise.

377. KOTWAL SHIV LAL : Will the Hon'ble Revenue Minister be pleased to state :—

(*a*) Under what rule or law the zamindars are prohibited to remove leaves of trees found in Khalsa and Shamilat lands other than royal trees or those specified in sections 46 and 47 of Land Revenue Regulation No. 1 of 1980?

(*b*) If there is no such law, it may please be stated, why the zamindars are being fined for removing leaves of such trees?

SH. ABDUL HAMID : (*a*) There is no such restriction.

(*b*) Government have no information of any such case.

KOTWAL SHIV LAL : Will remission of fines be granted in favour of zamindars who have been fined?

SH. ABDUL HAMID : If some body has been fined it must be under some orders. Therefore, any body who has been fined possesses the right to appeal against the orders under which he has been fined.

KOTWAL SHIV LAL : When the Government has admitted that there is no such rule under which they could be fined then the

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question of appeal does not arise.

SH. ABDUL HAMID : What I want to affirm is that the fine has been imposed under some orders against which right to appeal accrues.

KOTWAL SHIV LAL : Even if the zamindars have filed no appeal does it mean that the Government in spite of their having admitted that fact that there is no such rule under which a fine could be imposed continue to be unjust to them.

SH. ABDUL HAMID : If some body does not take advantage of the right to appeal then it is not the duty of others to remit his fine of their own accord without his appealing against the orders under which he was fined. Done what is done, although in future care will be taken in this behalf.

KOTWAL SHIV LAL : Shall I understand that if the subordinate officers of the Government do not discharge their duties in a satisfactory manner, the public will have to take the consequences of their negligence?

SH. ABDUL HAMID : The Government have promulgated a certain law and if a certain officer does not act upto it then it is the duty of the person against whom some action has been taken to appeal to law.

KOTWAL SHIV LAL : I would like to address the Hon'ble Revenue Minister in the matter. I want to know whether it is not the duty of the Government to refund fines in favour of persons upon whom these have been imposed illegally and instruct the subordinate officers for the future?

THE HON'BLE RAI BAHADUR PHUL CHAND MOGHA : Whenever any fine is imposed the order under which it is imposed can be repealed by a revision or an appeal and in case there is a wrong conviction that too can be rectified by an appeal or a revision. It is, therefore, necessary that such persons who may have been fined ultra vires should file an appeal or a revision.

KOTWAL SHIV LAL : Sir, my submission is that no specific rule has been made mention of in this connection. The fine is the result of sheer high-handedness? If those persons apply will you consider the matter?

THE HON'BLE RAI BAHADUR PHUL CHAND MOGHA : You are asking a hypothetical question. Whenever any case comes before the Government it is for them to see whether they are in a position to cancel it or not. If they are in a position to do so they will certainly do so.

378. KOTWAL SHIV LAL : Will the Hon'ble Revenue Minister be pleased to state :—

(*a*) Whether he is aware of the fact that there is a hot water spring at Gole in Tehsil Gulab Garh where thousands of persons go every year for the purpose of cure and that at "Damkund"

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in Bhata', a place situated in the way leading to the said spring, there is no bridge and the people have to cross the river Chenab by means of ropes?

(b) If it is fact, will the Government consider the desirability of constructing a bridge there?

SH. ABDUL HAMID : (a) Yes.

(b) The question of the construction of the bridge and the possibility of providing funds for it will be considered.

KOTWAL SHIV LAL : When will the matter be taken into consideration. This question is being repeated since the last three sessions but as yet no satisfactory arrangement has been made.

SH. ABDUL HAMID : The matter will be taken into consideration when the budget permits it. It is enough if our present needs are satisfied in these hardtimes.

2nd October 1940.

Note.—The following pages contain summaries of speeches delivered by the hon'ble members in Urdu and the verbatim report of speeches delivered in English.

As soon as the questions were over the Hon'ble President announced that a general discussion on the budget would commence and following the precedent of the last year the first speaker from each group would be allowed twenty minutes and all others fifteen minutes each.

Pir Zia-ud-Din wanted to move an adjournment motion but was not allowed to do so for want of notice

PIR ZIA-UD-DIN (Original in Urdu) : Pir Zia-ud-Din, while speaking on the budget said that the essence of a good administration was its budget framed on lines which admitted of no grievance from any community. The present budget he said, was hopelessly deficient in this sense because the interests of the Muslim community in particular, as those of the rural population in general had not been properly safeguarded. While laying stress on the point he affirmed that whereas the Muslims formed bulk of the total population and in view of this the Court language in the time of Maharaja Gulab Singh Ji used to be Persian; which was later on replaced by Urdu, the present Government while pretending to introduce easy Urdu was trying to substitute Hindi in place of Urdu and thus dealing a death blow to Muslim culture.

Pandit Amar Nath Kak asked whether the remarks of the hon'ble member were relevent to the budget speech. Sheikh Abdul Hamid humorously replied that these were relevent in the sense that he was criticising the education policy of the Government.

The Pir continuing his speech said, that the introduction

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of both the scripts, Devanagri as well as Urdu, in the schools without consulting the legislature clearly showed the trend of the Government policy. Pir Zia-ud-Din further pointed out that no attention was being paid by the Government to the Cottage industries and the Rural Development Department had proved quite useless as the Department itself deserved to be overhauled from top to bottom.

While criticising the remark in which a hope had been expressed by the Hon'ble Prime Minister that an increase in the land revenue was expected, he said that the calculations of the Government were not based on facts but were the result of delibrations carried on within closed chambers. He expressed his disgust over the attitude of the Government which counted gains but failed to provide for untoward circumstances resulting from causes beyond human control. Pir Zia-ud Din lamented over the wretched condition of the Muslims in the State and as an instance of this, the Pir stated that the post of an Arabic professor was vacant for about two years and it had not been filled up till then; whereas on the other hand the post of a Gurmukhi teacher had been created just for the sake of small minority.

As regards the policy of Government regarding recruitment to Government services he characterised it as anti-Muslim. Pir Zia-ud-Din laid stress on the point that the condition of the rural areas was abject. In his opinion the roads in particular, deserved better attention of the Government. The Pir further deplored the absence of medical arrangements in villages for miles together.

While concluding his speech the hon'ble member remarked that he had minutely examined the budget and had found it anti-Muslim and opposed to the interests of the village population and consequently totally unacceptable.

QAZI ABDUL GANI (Original in Urdu) : Qazi Abdul Gani while criticising the Police budget said that the sum allotted for this purpose was being wasted, and in support of this related certain malpractices of the department.

The Qazi further criticised the attitude of the Forest Department which fabricated false cases against the people and involved them in difficulties.

The Qazi while describing the hardships caused to the zamindars as a result of the policy adopted by the Government regarding acquisition of rice stated that the Shali Sare Department in the past was established with the object of acquiring rice from peasants by purchase [illegible] and distributing it among those who did not possess it. In his opinion [illegible] the people was being [illegible] but the result of this the poor cultivators were starving for want of rice.

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The Qazi further stated that the medical arrangements existing in Baramulla were inadequate and unsatisfactory to meet the requirements of the people of that place and as such something should be done in that behalf. The Government in his opinion, had no right to realise any tax from the people if they could not provide for medical relief to the people.

SH. MOHAMMAD AMIN (Original in Urdu) : Sheikh Mohammad Amin while criticising the budget pointed out that although the budget speech was a very well-worded document which had been laboriously prepared by the Hon'ble Prime Minister, yet on intimate examination its hollowness became quite apparent. He said that like the last year even though a surplus of two lacs and fifteen thousand rupees had been shown yet in fact it was not a surplus. He expressed his fears lest the surplus should be converted into a deficit and the expenditure may have to be met from different other grants, as was done last year.

As regards the Board of Judicial Advisors he said that the idea in itself was good but that purpose could be achieved by securing the services of eminent Judges of the British Indian High Courts and appointing them as Judges of the State High Court. Thus the public in his opinion could be saved from the burden of this extra expenditure. He said that although the grant at first set apart for this purpose was small yet he was certain that it would have to be raised when the volume of work increased.

Criticising the education policy of the Government Sheikh Mohammad Amin said that the Kashmir State was spending far less amount on education when compared with Travancore, although the total income of the latter was much less when compared with the former. As regards the scheme of Adult Education he said the idea in itself was good although the methods adopted to give it a practical shape were wrong. Thus the teachers who were asked to teach the adults were generally low paid persons and as such no higher degree of efficiency could be expected from them when they were asked to wok overtime to earn some extra allowance.

The Sheikh also pointed out the low percentage of the school going children and expressed his lament over the indifferrent attitude of the Government in this behalf. As to the policy pursued by the Government with regard to the Medical Department Sheikh Mohammad Amin said that whereas efforts were made to create fresh gazetted posts no attempt was being made to raise the grant for medicines. Thus in his opinion, it was no use creating fresh posts unless an adequate provision for medicines was made in the budget.

As regards the work of the Director of Medical Services he said that it was more clerical in its nature than medical and as such

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a man of Mr. Harper Nelson's calibre would have proved more useful if he had been asked to attend the hospital at least once a week. His appointment as a Director of Medical Services would have been justified only on that ground.

Criticising the insufficiency of the grant set apart for the Rural Re-construction Department he remarked that the present sum allotted for this purpose would have been quite sufficient but for the fact, that arrangements for water supply in Kandi Illaqa had also to be made from that sum.

Sheikh Mohammad Amin further complained of the inadequate arrangements for water supply in Jammu proper and suggested an increase in the grant for water supply to Jammu proper.

As to the means of communication and transportation, Sheikh Mohammad Amin said that the condition of roads in the heart of the city was simply unspeakable. The Government in his opinion should devote more attention to roads in the heart of the city rather than spend large sums of money on roads in the Mofussils. This was possible only when the Government issued special instructions to the Municipality and granted them aid for that purpose.

He invited special attention of the Government to Kathua roads, which as ill-luck would have it, were either Kachha or fair-weather. As regards the construction of a bridge over the Ujh river he said that a resolution had been passed by the Praja Sabha in that behalf and that a promise had also been held by the Government but the Government had done nothing to substantiate their promise. He, therefore, opined that the Government was worse off than an ordinary self-respecting individual who did everything to fulfil his promise.

Criticising the remarks of the Hon'ble Prime Minister that industries were being started in the State he said that those industries were providing work only to a handful of persons in the cities but were not helping a jot the rural population whose condition was extremely bad because of abject poverty. The Government would have helped the rural population a great deal in removing their poverty if they had started those factories in the villages, but unfortunately they had not done so.

As regards the profit of ten thousand rupees from the Willow Factory, Sheikh Mohammad Amin said that it was not a matter for pride as the Wilow Factory being a monopoly the profit of ten thousand rupees therefrom was not a big sum.

Sheikh Mohammad Amin further showed his resentment against the policy persued by the Government with regard to the importation of favourites in the form of Special Officers.

In the end Sheikh Mohammad Amin stated that the present ministry, which was supposed to be a very capable ministry would

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have proved so in fact if it had done something substantial for the poor zamindars whose voice could not reach the ears of the Government.

KH. MOHAMMAD KHALIL KICHLU (Original in Urdu) : Khawaja Mohammad Khalil Kichlu said that he had carefully read and listened to the budget speech of the Hon'ble Prime Minister and had failed to find in it anything which aimed at the general good of the village population. The budget estimates were as hopeless as ever.

Khawaja Mohammad Khalil Kichlu while continuing his speech said that the concessions granted by the Government to villagers were nullified by the attitude of the Government servants who placed all sorts of obstacles in the way of the public. The increase in the revenue from the forests was no matter for gratification for the zamindars as they had nothing to gain by that. Their lot was as bad as ever. As an instance of this, he cited the case of forest industries which had proved of little or no use to the zamindars as the people profiting by these were either the non-State-subjects or a few other persons living in the cities.

Mr. Kichlu further pointed out that although it was within the scope of the Government to start wool industry in the State yet the Government did not do so. In his opinion the wool products manufactured in the State could favourably compete with the stuff manufactured in England and other countries and while taking his stand upon history he tried to show that in the bygone days Doda, Bhadarwah and Kishtwar used to be great manufacturing centres of the wool products.

In criticising the education policy of the Government he pointed out that for miles together no middle school was to be found in the villages. Under the circumstances it was very difficult for the rural population to receive any education. At the time of making appointments the few persons who may have surmounted these difficulties and managed to qualify themselves for a certain post were deprived of that post for lack of a recommendation and instead persons living in cities were appointed. Thus the policy of the Government was to first deprive the village population of education and then afterwards to deprive them of the Government posts.

Comparing the education policy of the Kashmir Government with the Nizam Government he said that the Nizam Government was spending much more on education and as such the former could not be compared with the latter.

Mr. Kichlu further pointed out the inadequate and unsatisfactory medical arrangements subsisting in the Mofussils, particularly in his part of the country.

Mr. Kichlu strongly criticised the Public Works Department

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in so far as the construction of roads was concerned. He alleged that the persons who were given contracts for this purpose joined hands with the employees of the Public Works Department and thus devoured the major portion of the grant set apart for that purpose. He explained that bad means of communication and transportation were a natural consequence of jobbery and corruption prevailing in that department.

SARDAR DHIAN SINGH (Original in Urdu) : S. Dhian Singh while speaking on the budget said that a careful examination of it showed that great pains had been taken in its preparation.

Sardar Dhian Singh by taking into account different figures tried to show that the Government would be compelled to have recourse to its reserve and in that case will have to undergo debt, a fact which in his opinion was not a sound policy.

As regards the Utility Departments he pointed out that the grant in each case *i. e.,* Education, Medical, Industries, Agriculture, Horticulture, Co-operative Societies, Veterinary and Panchayat, had been increased.

In the end, Sardar Dhian Singh while strongly upholding the British cause suggested that the Government should increase and excelerate their quota of the war effort and should not lag behind other States in that respect. He also advised the Government to keep itself in readiness for the exigencies of the war in case the unexpected happened.

While trying to preach a reduction in the current expenditure of the administration he showed dissatisfaction with the policy of the Government under which fresh posts were created. He said that in case this policy were pursued by the Government any further a time would come when the Government would exhaust its reserve and as a last resort will have to incur debts.

M. GHULAM MUSTAFA (Original in Urdu) : Moulvi Ghulam Mustafa said that whereas the general tone of the budget speech was fairly high yet in his opinion that was not the only criterion of a good budget speech. Consequently the view-point given expression to in the speech and its contents were such that these were in no case either practicable or deserved much attention and hence unacceptable as a whole.

While criticising the Forest Department he said that a number of superfluous posts had been created in the department and in consequence the poor public was being crushed under their weight. He further pointed out the high-handedness and mal-practices of the forest employees who battened upon the village population. He advised that in order to avoide corruption rampant in the department it would have ben better if the number of employees were reduced but instead their salaries were raised.

As regards the Forest Enquiry Commission appointed by

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the Government to uproot corruption in that department he said that that commission was appointed in response to the great hue and cry raised by the public on account of the oppressive policy of that department. But what fate did the report of the commission meet with? It was quietly shelved by the Government and it was due to this that the oppression had become more acute. In the end he pointed out that Government alone was responsible for this corruption because instead of taking action against the corrupt officers it was trying to shield them indirectly.

Criticising the education policy of the Government he stated that a major portion of the grant allotted to this department was either spent on the salaries of the Government officials or on the education of the royal family, and thus only a small amount of it was left for the poor public which in fact filled the State coffers with the sweat of their brows.

He further compared the education policy of this State with other States and concluded that the Kashmir State was spending much less when compared with the other States. As regards the Wardha Scheme and the Adult Education Scheme he declared that the fact about those schemes was that these were nothing but a hoax started for the purpose of propaganda, as nothing substantial had been achieved by the department till then. Consequently the grant set apart for running those schemes was mainly consumed by the Government officials in the shape of salaries and travelling allowances, nothing was left for other purposes.

Continuing his speech the Moulvi Sahib said that although the Hon'ble Prime Minister had promised to spread education in the State, in fact even Mofussil primary school buildings were not State-owned and as such great difficulties were being felt on that account. The tragedy of it was that no provision for the rent of these school buildings was made in the budget. Another lamentable fact about this was that the teachers appointed for that purpose were extremely low-paid and their salaries did not exceed the salary of an ordinary office peon or a Forest-guard.

Criticising the remarks of the Hon'ble Prime Minister which purported to say that the Public Works Department had made great progress he said that all the progress which that department had made, had been made in the time of Maharaja Pratap Singhji and that hardly anything worth the name had been done in the current regime. Continuing his speech in the same strain he said that for miles together there was no bridge either on the Kishen-Ganga river or the Jhelum river.

While discussing the budget of the Customs Department he said that although customs-duty on goods worth twenty-five rupees imported by the labourers gone to seek work in British India had been exempted yet duty on those goods was realised by the em-

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ployees of the Customs Department, a fact which revealed the hollowness of the Government orders.

While summing up the means of livelihood of the poor zamindars he said that their livelihood depended upon three factors: namely, the cattle, land and labour. As regards labour he said that all the contracts were given to influential persons and the existing rules were not at all cared for. As to land the difficulties of the zamindars had been brought to the notice of the Government time and again, but no heed was paid to them. As regards cattle he said that several years had gone by when enumeration of these was conducted and Kahcharai (grazing tax) fixed accordingly. Thus the Government in his opinion, had assumed once for ever that the number of cattle would neither increase nor decrease, whereas the fact was that owing to cattle epidemics their number had been reduced to one third of the previous number. The Moulvi Sahib concluded with the remark that the exhorbitant rate of Kahcharai was simply crushing the zamindars under its weight.

MR. M. A. HAFEEZ (Original in Urdu) : Mr. M. A. Hafeez while appreciating the high tone of the budget and the highest figures that it had reached said that the Hon'ble Prime Minister had ommitted to read paragraph 8 and 9 probably because a mention of a deficit of 6·20 lacs had been made in them.

THE HON'BLE PRIME MINISTER (Mr. Gopalaswami Ayyanger) : Sir, may I explain it. My omission to read those paragraph was not because these referred to deficit but because I thought I would save the time of the House.

MR. M. A. HAFEEZ : Mr. Hafeez replied that he did not object to that but as ill-luck would have it there was mention of a deficit in those paragraphs.

As to increase in the revenue of the Forest Department, Mr. Hafeez said that it was all due to the efforts of the Chief Conservator of Forests.

Speaking on the industries started in the State Mr. Hafeez stressed the need of their development. He also pointed out that adequate medical arrangements and other amenities should be provided for the factory workers.

As to the Jammu and Kashmir Bank he stated that instead of appointing out-siders it would be better if local persons were appointed on the posts.

Regarding the grant for education he said that the Government should have allotted a higher sum for that purpose.

L. SATYA PAL VOHRA (Original speech) : Sir, more than half a dozen of the hon'ble members have taken part in the debate and I had the privilege to hear their views regarding the budget. There is no doubt that most of the members had confided their criticism or their views to the speech of the Hon'ble

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Prime Minister and they have not referred to the original items provided in the budget. Most of the hon'ble member have made a mess of the budget speech, but showing particular grievances against Police referring to certain cases, bringing in communal considerations.

So far as I have been able to see, I must say that the time allowed for budget speech is very short, but in as much as the speech of the Hon'ble Prime Minister was so lucid and self explanatory that it made the task of hon'ble members very easy, to express their ideas about different items concerning the budget. Acut criticism has been lavished from several quarters while mild criticism is given from some members regarding the budget in general. I may say that there is no doubt that it is very easy to pick up holes and find so many shortcomings in the budget. I would say that if Moulvi Sahib (Gulam Mustafa Shah) were to sit on the treasury benches and I on the elected benches, I would find thousands of shortcomings in the budget. Due consideration must be paid to economic depression that prevails in the country at present.

It is very difficult to please every section of the people. The village people naturally claim a lump sum or lions share in the budget themselves. The city people who also pay taxes, claim equally some part out of it and it is very difficult to satisfy the bulk with the limited means that are available in the budget. I cannot but express my thanks to the Hon'ble Prime Minister and his ministry together with Mr. Jagat Parshad, due to whose strenuous efforts we are having surplus budget for the last two years.

There is no doubt that the prosperity of the country depends much upon the industry and it is industry alone that gives us good resources and solves the problem of unemployment. The industry, in the State is yet in the infancy. It is only 3 or 4 years back that the State has taken the problem of industrilising the country. The industries are yet to be surveyed and few experimental industries have been started. The results obtained have been stated before the House and we find that the results are not so bad and they give us better yield and to some extent solve the problem of unemployment by taking workmen in workshops and giving them labour. I must say that it is very gratifying that inspite of the economic depression the budget shows a surplus of two lacs. The decrease in the Customs which is due to the war conditions has been supplemented by the income in the Forest Department. The revenue as we have seen has come to two crores and seventy seven lacs. It is the first time since the regime of our beloved ruler that the revenue of the State has come to such a standard.

Certain criticism has been lavished against the establishment of Advisory Board, by Sh. Mohammad Amin. So far as I have

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been able to say, we should feel proud of this fact as it is in this state where Judicial Advisory Board equalling the Privy Council in British India exists and has been created to meet out justice to the people of the country. The persons who were taken in this Board last year were such who enjoyed a very great eminece and their judgments have reallly been of great help to us. One difficulty however I would like to point out before the House is that the valuation put for bringing the cases before this Board has been kept Rs. 5,000 or above. My friend Mr. Kak has asked me a number of questions regarding the number of suits, valuation of suits etc. etc. As far as I can say, he wanted to derive information regarding the valuation of cases. The valuation should however be lowered to Rs. 2,000 taking into consideration the poor economic condition of our country and its poor litigation, it is true that in British India the valuation is Rs. 10,000 but there is a difference of economic conditions between this country and British India, where the valuation of cases for Privy Council is much more than there. My friend Mr. Sh. Mohammad Amin says why should not those able members of the Advisory Board be made the Judges of the High Court. I will say in reply that it is a matter of good luck and fortune. If they are made Judges of High Court and they agree to serve the people will be really benefitted by them. It has already been stated that the Rural Uplift Department has been in existence for the last about two or three years only. In the present budget, forty thousands of rupees have been given for The defect in this expenditure, I may point out, is that a major part of this amount goes to the establishment. It would be much better if the villagers were made to understand the utility of rural uplift, and co-operation of the public in general, students, honrary workers, Co-operative Department, Revenue agency and other agencies and school masters was sought to uplift the rural masses. It wil do immense good this way there can be immense saving from the expenditure say 50 thousands from one lack, and that sum can be used in constructing roads and buildings to ameliorate the conditions of the villages. It does not go to the credit of the State that over one lac is spent on the establishment and staff. This could be saved if honorary workers' services were availed of.

L. SATYA PAL VOHRA : Regarding education we find that the State is focussing its energy to the expansion of the primary education because that is the primary concern of the authorities that education should be vastly expanded. Instead of expansion of secondary, higher and college education, the State is focussing its energy, as we find in the budget, in providing for a number of primary schools and Adult Education Centres, which is being immediately taken into hand, and efforts are being made in this con-

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nection, and the results which we have before us show that much has been and is being done in this connection.

Regarding Medical, so far as I have been able to see from the budget, I find that the number of dispensaries is being expanded at the rate of 8 to 10 per year. As I find it, the present condition of the dispensaries is not such as would really satisfy the people, and a good deal of grievance on the part of the people is there, regarding the existing condition of the present dispensaries. I and my friend Mian Ahmed Yar had an occasion last year to see Colonel Harper Nelson in some other connection, there we brought the matter to his notice, and gave him certain suggestions. He said and agreed that it would be better to reform the present dispensaries rather than to establish new ones and in future it would be the policy of the department to do so. Since there is a demand in this house emphasising the fact that people ask for more dispensaries, the Government has to meet their demands. All the same, we find that the Government has provided a good sum of six lacs of rupees for the establishment of two modern hospitals on the most modern lines, equipped with the most modern apparatus which, I think, will really meet the requirements of the people. Besides our Government are providing for other dispensaries also.

My friend Mr. Ghulam Mustafa stated that there is a number of schools in the State which have no building of their own. If my friend will peruse the budget, he will find that Rs. 36,000 have been provided in the budget for the construction of new schools in the villages and in the towns. Similarly about the water supply there is a grievance that the water supply in Jammu is not adequate enough. Well, that grievance is much supplemented by the fact that the Government has sanctioned Rs. 22,000 more to supplement that grant.

We have not yet been able to see from the budget, what improvements and what retrenchments, the special Financial Advisor of the State has made. It seems possible that some report is shortly coming before this House and we expect that some retrenchments and some savings may have been suggested by the Special Finance Advisor, whose services were engaged by the Government with the sole object of bringing some savings to theState.

On the whole the budget itself would satisfy every body, so far as I have been able to see from the budget there is much provision for the betterment of the villagers. There is not only the Rural Uplift Department, but Co-operative Department is meant for the villagers and the benefit of these departments goes to them. Similarly there are road cesses and other works under the Revenue Department and various other departments the benefit of which is solely derived by the villagers .....My submission is that

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the budget on the whole is such which should commend itself to the House and should be accepted and appreciated by the House.

Note.—When Mr. Jagat Parshad Accountant General got up to speak the Hon'ble President wanted to know whether any of the hon'ble members on the opposition Benches wanted to speak on the budget. Mr. Kak espressed his willingness to speak on the following day. It was also given to understand that the members from Poonch would also speak on the following day. At this stage the Hon'ble Prime Minister said that as there was nobody to speak on the budget they might as well wind up and have a holiday on the following day.

MIAN AHMED YAR : Sir, it is not only because the members on the opposition Benches or members on the Poonch side were somehow restrained from speaking today but there are many members sitting on the Government Benches, who have been won over by the Government from amongst the elected members owing allegiance to the Government, who could be expected to speak in support of the Government, and in reply to the speeches made in regard to the criticism of the budget speech today. However, the budget as presented by the Government through the Hon'ble Prime Minister is quite evident to show that certain cunning methods have been adopted to frame the financial statement of the State. That these cunning methods which have been adopted go really to show a certain amount of ability of the compilers of that document. No doubt from a cursory glance of the budget, we will come to know that there is surplus shown in the budget and the amount of the total receipts for the year under estimate is about 2,76,00,000 of rupees. Over and above they may say that this is the first year when such a high level has been arrived at, by the Government in connection with the total receipts. But when we see from a critical point of view, we find that all the figures of this sum included in the total receipts have been reached after sucking the blood of the tax-payer. Once a person goes through and examines the budget statements of 1972 or some years following that year, he will come to know that the total receipts of this State amounted to 76 or 78 lacs of rupees and this amount was considered to be sufficient to meet all the demands to carry on the administration in the State. This difference which we now find between the receipts of those times and the receipts of the present day, is due to the income which is derived solely by heavily taxing the people of this country. For instance I quote certain figures which can show clearly the revenue derived in those days from the particular resources and the total receipts on account of the different heads. I can quote the instance of the Customs Depart-

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ment. The total income of the customs revenue in those days was about 12 lacs of rupees, which now we find is more than 58 lacs of rupees. Similarly with regard to the land-revenue, I may say that in those years the income was 44 lacs of rupees. As regards the Forest Department the income which is shown in the receipts from this sourse is much less as compared with the receipts of the previous years, as we can safely say that cutting down the forest timber and selling it is not to be considered an increase in the receipts of the State income or in the receipts of the State-but it is rather selling away the property which had been reserved in the earlier days simply to get its value in cash at proper time. As such it cannot be considered as an income. Of course there are certain minor items for instance minor forest products under which some increase in the income might be expected. This also contributes towards the income which has been raised to such an extent. The revenue accounts or other statements given in the budget speech by the Hon'ble Prime Minister and the financial statement placed on the table of this house is not sufficient to show that the Government is doing anything for the betterment of the depressed condition of the backward classes in this country. More than 90 per cent. of the people of this country reside in the villages and very little attention has been paid towards the betterment of these people and their money is spent on the colleges and higher education and certain other things which are not meant for the peasants and for their children. As regards the Forest Department my friend Moulvi Ghulam Mustafa has also observed that in this particular department many posts are existing which were created for carrying out Amani business when the work through contract or lease system was to be stopped which was never done. Inspite of this fact these posts have not been abolished Moulvi Ghulam Mustafa has given instances of superfluous posts in this connection. It is a fact that there was only D. F. O. who was conducting the forest lease and other works in each district but now there are more than three Divisional Forest Officers who are performing the same duties in a district. Similarly many posts of Rangers have also been increased. There was the real necessity of increasing the posts of Forest Guards for guarding the forests of the State, but it was not done and these people are still very meagerly paid. I may say that much powers have been bestowed on the Chief of the Forest Department I can also say that the Forest Department as managed by the present Chief has not done any miracle with regard to persons who are indulged in corruption or in smuggling of Kuth and other small forest products which are now under the control of Utilisation Division whose headquarters are placed at Baramulla.

I give this particular hint to the Hon'ble Prime Minister and

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those who are controlling the Department and can say that in case of selling those particular products which are sold by that particular division (Utilisation Division) such methods should be adopted in the sale of these things that these people may have no chance to smuggle the Government money. Complaints against the Divisional Forest Officer at Keran were continuing when the Forest Enquiry Committee was advancing towards Keran to hold their meeting there but an officer who was in company of the Committee did not agree to proceed to that place. He however told the members of the Committee that the Divisional Forest Officer posted at Keran would be transferred and if the members did not insist upon going to Keran otherwise he would not be transferred. But they did not proceed to that place as there were so many complaints from the public against that Divisional Forest Officer and his subordinates who had been posted there, in that division hence he is not transferred and is still there. Mention of so many things has been made in the budget speech of the Hon'ble Prime Minister but the only thing worth appreciating is that a certain capital of the State lying in reserve is lying idle and no interest is accruing out of that, it is suggested that that amount which is a substantial one should be invested in some such enterprises wherefrom it can fetch a considerable profit.

It is very undesirable that the members sitting on the Government Benches do belittle the affairs of the Opposit Benches. The Government Benches must know that it is only the opposite benches or the members of the opposite benches who can bring to the notice of the Government certain complaints in the working of the different departments which are connected with the people and thus expose certain complaints before the Government. It is the duty of the Government to listen to them and not to laugh away the things which are submitted for the purpose of redressing of the public grievances. This clearly shows that the Government which is spending lacs and crores of rupees on the administration of the State is not ready to listen to the members who have been returned from the different constituencies and it also clearly shows that the Government is not prepared to co-operate with the members. The only representative body of this country i. e. the Jammu and Kashmir National Conference did pass in the meeting of their working committee that it is the duty of the people of this country to co-operate with the Government in the formation of the constitutional municipalities for the sake of rendering good to the country. But this attitude of the Government and particularly of those members sitting on the official benches was not desirable when they take money from the people to which thus they are not entitled. It is also very improper to laugh away

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the things which are seriously put before the Government in this House. There is one more point and my submission with regard to that is that there are certain posts which have been created quite recently and these do not seem beneficial to the people at all. For instance the post of the Government Architect. This new post has been created while there are so many persons in the Public Works Department who are England trained Engineers. The creation of this post in face of these facts is a mere burden on the people who pay heavy taxes. With regard to the post of Special Audit Officer do not think it proper to say anything because the Government might be considering many things themselves. The only thing I would like to say in this behalf is that the Special Officer has been brought for some special purposes including retrenchment of the pay of the officials. He must not be particular in retrenching the pays of low-paid officials or make any reduction in case of such officials. The Governmetn may make these reductions from the Police Department or Roads and Building Department or Forest Department in connection with superfluous posts. They can by doing so save lakhs of rupees thereby

I now come to the next point. As stated by my learned friend L. Satya Pal that two lacs of rupees are spent on the Rural Uplift Department staff.

LALA SATYA PAL VOHRA : Only one lac.

MIAN AHMED YAR : This money is spent on the establishment of this department and very little is left for carrying out the purpose of the department. With regard to the creation of the Income Tax Department which was started in 1991, my submission is this that the income of this department is less than three lacs while the expenditure on the establishment proportionately heavy and if we see to the percentage of the expenditure it comes to about 10 per cent. of the income. Thus we find that the Income Tax Department is not a profitable department as is the case of other departments such as Sericulture, Law, Revenue and other department where this percentage is in the neighbourhood of 2%.

Certain observations have been made in the speech of the Hon'ble Prime Minister with regard to certain inquiries and with regard to Indianite Company it has been said that this company had to eperience the pangs of birth but as far as I know and understand the condition of this particular concern, which is called the Indianite Company Ltd, it was not the pangs of birth which it experienced and which was the cause of great trouble, but it may prove the pangs of abortion ; and if the present state of affairs continued it will prove a still child's birth. The pangs were paining indeed and included the murder of a worthy son of the soil a forest officer

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who had gone to check and stop the purchase of the moulds worth six or seven rupees each being purchased for seventy or eighty rupees and an engine worth ₹ 2500 being purchased for ₹ 50,000 and many such other recurrances about a lac of rupees were smuggled by the person who made responsible for starting the factory.

Many things have been said about the Silk Weaving Factory and Woolen Mills. But I do not want to go into the details thereof. I am pressed to say that during the course of certain questions put to Government the Hon'ble President was pleased to remark that the question put by the tax-payers representatives with regard to the Government investments in such concerns should be answered. Still it is very regrettable that the Government sufficed with saying that these concerns being joint stock concerns the information sought could not be made available to the person putting these questions. These concerns as has been told in answering the supplementary questions are limited companies and are registered by the Registrar Joint Stock Companies in the State and are under the control of the High Court of Judicature. Information regarding these companies could easily be made available from the statements. These concerns submit six monthly statements to the High Court. But the Government did not care to obtain this information regarding these concerns.

With regard to Customs some decrease is expected in the year under estimate. In this connection I may say with certainty that this department should have much higher income but due to the fact that many officers of the Custom's Department are responsible for smuggling of goods, the income suffer a great deal. I know some Frontier Customs Officials allow the merchants to smuggle the goods and receive from them ½ of the actual customs duty leviable on the goods. Had the Government kept in view the recommendations of the Anti Corruption Committee, much of this corruption would have been checked and stopped. Similarly is the case with the Public Works Department and the Forest Department. On one sir, Peter Clutterbuck is not enough to check this. No goods can be smuggled unless the officials concerned are corrupt and allow the smugglers to carry on illicit pursuits.

With regard to the expenditure on the Praja Sabha office I may say that this a department of the people and this demand of the people for building adequate Assembly premises is left unheeded for a very long time. I am sorry to say that this Praja Sabha is not given the proper importance it deserves by the Government. The Assembly Chambers are not properly provided for holding meetings of the Praja Sabha. Only if the Government had cared to pay a little attention to this, it would have been very easy for the Government to provide funds for this purpose. There are no party or committee rooms. The staff is also experiencing a great inconvenience owing to the deficient accommodation. The

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staff is quite insufficient and it is specially essential that the strength of the Reporting Staff should be increased in order to get efficient reporting.

Some Industrial Schemes have been put before the Government But the Government does not care to employ right people for them and derive benefit there from. For example if the Government had seen and cared to give training to the people of our State in the Willow Factory, as number of poor people would have been much benefited by this industry. Cottage Industry is not given its proper share.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : You have already had enough time please finish it in one minute.

MIAN AHMED YAR : It is the duty of the Government to put up industrial centres and find markets for the sale of the products of the cottage producers. I know that certain employees of the Government were sent to a particular Illaqa to see the possibility of the Cottage Industries Development but it is regrettable that Government did not agree to set up the permanent centres in the Ladakh Illaqa where there is ample raw-material. Just as Mr. Mohammad Khalil Kichlu has mentioned in his speech wool industry could flourish in the Kishtwar and Bhadarwah and it is the duty of the Government to establish training centres in different Illaqas and give necessary training to the people.

With regard to the army, we are thankful to the Hon'ble Prime Minister for having discussed this Department in his budget speech, and giving us an opportunity to say something about this Department. He had stated that this year 60 lacs of rupees is provided for the army while last year only 45 lacs were spent on it. So this year there is an increase of 15 lacs of rupees.

MR. PRESIDENT (The Hon'ble Rai Bahadur Justice K. L. Kichlu) : You cannot discuss it.

MIAN AHMED YAR : The Hon'ble Prime Minister has discussed it in his budget speech, and so we have also got a right to speak on it. We are thankful to the Hon'ble Prime Minister.

HON'BLE PRIME MINISTER (N. Gopala Swami Ayyanger) : I am very much obliged for the thanks that the hon'ble member has passed on to me, but under the constitution it is not possible for the member to discuss it.

MIAN AHMED YAR : This Department should very easily run with only rupees 25 lacs and with this army we could establish democracy for the whole of India while at the present time this army is being kept for supporting the demand for the establishment of democratic institutions. With regard to the Medical Department I must say that very heavy amount is being spent on the department and very little for the medicines.

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Note.—The Clock struck four and the House adjourned till Thursday the 3rd October 1940.

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